(4) 6.

A Vindication

OF

THE NINE REASONS

OF THE

Houſe of COMMONS,

Againſt the Votes of Bishops

IN

PARLIAMENT:

OR,

A Reply to the ANSVVERS made to the ſaid REASONS, in defence of ſuch Votes.

Printed by order of a Committee, of the Honourable Houſe of Commons, now aſſembled in Parliament.

LONDON,

Printed for *T. Stephens*, and *C. Meredith*.

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AN HUMBLE EXAMINATION OF A Printed ABSTRACT of the ANSVVERS given to Nine REASONS of the HOUSE of COMMONS, Against the *Votes of Bishops in Parliament.*

I. REASON of the House of Commons.

BEcause it is a very great hinderance to the exercise of their Ministeriall Function.

To this *Reason* a foure-fold *Answer* is sent abroad.

ANSVVER.

1. " *Is is not so much hinderance as their convening*
" *to Generall Councels, Synods, Convocations,*
" *Assemblies, Classes, and the like, in all the*
" *Churches Reformed, or otherwise.*

EXAMEN.

Convening to Generall Councels, Synodes, &c. when need requireth, is a proper part of their Ecclesiasti-

call Office, and ſo cannot rightly be termed any *hinderance to their Miniſteriall Function* at all. For then, although they be enforced to be abſent from their particular Congregations, they doe ſtill move within their owne proper Orbe, for the more publike Service of the Church: and ſo they may with more reaſon expect a bleſſing on it. But when they *Vote in Parliament*, as Peeres, in Civill and Secular Affaires, touching Trade, Merchandize, and other particulars of State policy, they be Eccentrick, and out of their owne Sphere, and Calling. This therefore muſt needs be not only ſome hinderance, but, *a very great hinderance to the exerciſe of their Miniſteriall Function:* becauſe, to qualifie them to give ſuch Votes, with judgement, they muſt neceſſarily beſtow themſelves moſt, if not altogether upon the ſtudy of, and ſearching into all thoſe Secular matters which in Parliaments be, or may be debated and voted, and in the inquiry into all thoſe principles and deepe myſteries of State, wherein, all that vote in the Houſe of Peeres, ought above all others to be moſt converſant; which cannot ordinarily bee attained, without ſpending moſt of their time and ſtudy thereupon: *Si enim velit Epiſcopus, ut cæleſti pariter & terreno Regi placeat, ad utrumque ſe officium dividere, certe Rex cæleſtis, qui ſibi vult ex toto corde, tota anima, tota virtute ſerviri, miniſterium divinum non approbat, non diligit, non acceptat. Nam nec terreni Principis ratiocinia quiſquam dimidius ſufficienter adminiſtrat*; as a learned Archbiſhop of *Canterbury*, out of another grave Author, hath obſerved.

Matth. Parker Antiq. Britann. in Huberto ex Wil. Nubrig.

And ſithence, to be able to give a *Vote* in the *Lords* Houſe of Parliament judiciouſly, and for the bene-

fit

fit of the publike, requires ſuch conſtant induſtry, daily obſervation, and no ſmall experience of all kindes of ſecular affaires, with their ſeverall caſuall turnings, and viciſſitudes: I cannot ſee how Biſhops, voting in that Houſe, can avoid one of theſe three evils, either they muſt give their votes ignorantly (and ignorance uſually runs wrong;) or corruptly, to ſerve other mens turnes, be they right or wrong; or els they muſt neceſſarily bend moſt part of their lives to ſecular ſtudies and imployments, to which they were never bred, from which their Miniſteriall Function ſhould exclude them, and for which many godly Biſhops and others, beſide ſundry Councels, in all ages have condemned them; many of thoſe Ancients having alledged that Scripture, in 2 *Tim.* 2. 4. (*Nemo militans Deo, implicat ſe negotiis ſecularibus, &c.*) to this very purpoſe.

For more expedition, I ſhall only name ſome of thoſe Authors and Councels. *Cyprian. Epiſt.* 66. *juxta Pamel. Can.* 6. *Apoſt. apud Zonaram. Concil. Carthag.* 4. *Can.* 16. *Concil. Chalced. Oecum. Seſſ.* 15. *Can.* 3. *Auguſt. Epiſt.* 110. *Greg. Magn. Dial. lib* 1. *Prefat. Excerpt. Egberti Can.* 16. *&* *Can.* 57. *Concil. Calchuth. Can.* 10. *Anſelm. in Concil. Weſtm. ut videre eſt in Gulielm. Malmsb. de Geſtis Pontif. l.* 1. *Mat. Par. Hiſt. Angl.* in the Caſes of *Walter* B. of *Durham*, in time of *Will.* the Conq. and of *Hubert* Archb. of *Cant.* in *Ric.* 1.

Yea, we ſhall find this ſharply condemned by popiſh Prelates themſelves. *Corp. Iur. Can. diſt.* 88. And *Othobone* the Popes Legate here, in *Hen.* 3. his time, cenſured it, and provided againſt it, as *vitium horrendum*. Conſt. Legat. cap. *Cum honeſt.* But I leave them. See alſo *Tindall* in his Tract of Obedience of a

Christian. B. *Hooper*, on 8. Command. B. *Latymer*, Sermon called the *Plough*. B. *Iewel*, defence of *Apol.* par. 5. chap. 4. divis. 2. *Mat. Parker*, Archb. of *Cant. Antiquit. Brit.* in *Huberto*, where he is very large, sharp, and solid in this point. Take a passage or two, because his Booke is not in every hand. *Neque enim, si verum judicare volumus, in Republica Christiana quicquam sani atque integri seculum illud* (Richardi primi) *tulit. Fictaque & adumbrata Religionis specie proposita, totus Clerus in sceleribus, muneribus, honoribus, & rapinis, neglecto penitus verbo, impune volutabat. Hujus mali origo ab hoc profluxit, quod contra Orthodoxorum Patrum decreta, Clerus nimium mundanis se negotiis immiscuit.* Then hee goes on to shew a fearefull example of Gods vengeance upon one of them, who had beene advanced to a very high Office in the State, which Relation he thus closeth up; *Cujus generis exempla idcirco proferenda sunt, ut deterreatur a vectigalibus Regiis, & Civilibus publicisque occupationibus Clerus, & Evangelio propagando pracipue studeat ac incumbat.* And how ever hee after takes notice of somewhat which happened in the beginning of *Henry* 3. wherein he seemes to preferre the fidelity of the Clergy to that of the Laity in administring of Civill Offices, yet he doth it not as allowing the Clergie to be so imployed, but rather as secretly taxing the Nobility of that time for being so unfaithfull to the King and Kingdome, which surely is no warrant for the Clergie to step out of their own Calling.

It is true that anciently Bishops have beene allowed to intermeddle in some Civil affairs, at sometimes. *Constantine* made a law to that purpose, in case of

of voluntary appeals from civil Iudicatories, *Sozom.* li. 1. cap. 9. And *Valens* added to it, in caſes of Hoſpitals and Schooles. *Hiſt. Counc. of Trent.* Yet the miſchiefs of ſuch intermedling, were ſoone felt and groaned under. Hence *Honorius* and *Arcadius* made a Law againſt it, and *Valentinian* afterwards put it in execution even in Rome it ſelfe. So did other Emperours, as appeares by the *Corps* of the *Civil Law*, in many places. Indeed ſome ſucceeding Emperours, gave relaxations, and inlarged the power and preheminence of Biſhops ſo farre, that at length there was no reducing them to their ancient limits, till that once glorious Scepter was become ſo inglorious as to be wholly at the devotion, command, and diſpoſe of the Mitre, to the perpetual ignominie, and irreparable undoing of that puiſſant Empire.

And whereas ſome urge that Statute *De Proviſoribus* in 25. *Edward* 3. for Biſhops intermedling in Civill Affaires, becauſe it is there ſaid, That the holy Church of England was founded in the eſtate of "Prelacy within the Realme of England, by the "Kings Anceſtors, and other of the Nobility, to "inform them and the People of the Law of God, "and to make hoſpitalities, almes, and other works "of Charity in the places where the Churches "were founded, *&c.* and for this end, their Lands, "revenues, *&c.* were aſſigned by the ſaid founders "to the Prelates, *&c.* And the ſaid Kings in times "paſt, were wont to have the greateſt part of their "Councel, for the ſafeguard of the Realme, when "they had need, of ſuch Prelates, and Clerks ſo advanced *&c.* This laſt Clauſe doth only prove *de facto*, that ſo it was uſed; but doth not legitimate the

uſe;

uſe; all ſtories of thoſe times being full of complaints againſt the miſchiefes which aroſe out of it. And that very Statute declares the prime end of advancing the Clergy into an Hierarchy, was to counſell the Kings and others in the Law of God, not in Civill and Martiall matters. And ſo far is ſuch intermedling *in Secularibus*, from being countenanced by the Lawes of this Kingdome, that by the common Law; (which is the moſt fundamentall Law of the Realme) all in holy Orders are ſo carefully exempted from ſuch incumbrances, that if any Clergy man happen to be put into a temporall Office, he muſt, upon the pleading of his Orders, have a Writ awarded him out of the Chauncery to diſcharge him. *Regiſt.* 187. 6.

Therefore it was farre from the intention of the firſt Founders of our Hierarchie, to imploy them in *Civilibus*, but only to make uſe of their counſell in Spirituals.

There is yet one thing more, much inſiſted upon by ſome of the Prelates, to prove the lawfulneſſe of their intermedling in Secular Matters. And it is a paſſage of Saint *Auguſtine, De opere Monachor. Cap.* 29. where hee ſaith, It were farre more profitable for him to ſpend his time in reading and praying, *Quàm tumultuoſiſſimas perplexitates cauſarum alienarum pati de negotiis ſecularibus, vel judicando dirimendis, vel interveniendo præcidendis; quibus nos moleſtiis idem afflixit Apoſtolus, non utique ſuo, ſed ejus qui in eo loquebatur arbitrio.* *Ergo*, ſay ſome Biſhops, they have warrant ſo to doe, yea a command from the Apoſtle, and from the Spirit of God himſelfe.

1 Cor. 6.

To

To this it may be answered. 1. That in that very place St. *Austin* doth bemoane this, as being *Ecclesiarum quibus servit consuetudo* the custome of those Churches: and the practice began, after *Constantine* made a law to warrant it; for S. *Aust.* there saith that *Paul* never submitted to it, nay rather he gave order to make them Iudges that were meanest, and had least to doe. And albeit St. *Austin* there addes that this toyle he undertooke, *non sine consolatione Domini in spe vitæ æternæ, ut fructum feramus cum tolerantia.* Yet this was not spoken, as rejoycing in the imployment, but as bearing it with more cheerefulnesse in hope of eternall life after it. 2. As for the imployment it selfe, he complaines, *violenter irruptum est, & non permittor ad quod volo vacare ante meridiem, post meridiem occupationibus hominum teneor.* *Epist.* 110. and *Possidanius* that lived with him many yeares, beares him witnes that *hanc suam a melioribus rebus occupationem, tanquã angariam depsebat.* Therefore it was, that (in *Ep.* 110.) he desired the people that they would suffer him to put over all those businesses to *Eradius* whom he had chosen to be his successor in his Bishoprick, which when the people had granted, the good old Father presently unburdened himselfe, *Erga fratres quicquid est quod ad me perferebatur, ad illum perferatur, ubi necessarium habuerit consilium, meum non negabo auxilium.*

Possidon. in vit. *Augustini* ca. 19.

3. If this be not enough, let me answer Bishops, by a Bishop, *viz.*: by Bishop *Bilson*, who, being pressed with that place of Saint *Austin*, *de opere Mon.*: by the Popish crue under the name of *Philander* a *Iesuite*, returnes this answer under the veile of *Theophilus* an Orthodoxe Diuine: a Truth it is, the

Treat. *Of Christian Subjection and Antichristian Rebellion.* par. 3.

Bishops of the Primitive Church were greatly troubled with those matters, * not as ordinary *Iudges* of these causes, but as Arbiters elected by consent of both parties. "And I could requite you with *Gregories* own words of the same matter in the same "place, *quod certum est nos non debere, which it is cer-*"*taine we ought not to doe.* But yet I thinke so long "as it did not hinder their Vocation and Function, "though it were troublesome unto them, they "might neither in charity nor in duty refuse it, be-"cause it tended to the preserving of peace and love "amongst men. And the Apostle had licensed all "men to choose whom they would for their *Iudges*, "no doubt meaning that they which were chosen "should take the paines to heare the cause, and "make an end of the strife. But it is one thing to "make peace betweene brethren, as they did, by "hearing their griefes with consent of both sides; "and another to claime a judiciall interest in those "causes, in spite of mens hearts.

* And I have shewed before upon what occasion. *Prefat. in Dial.*

Thus he, and how home this comes to our Bishops, that will needs still contest and strugle to retaine their Votes in Parliament in all civill causes whatsoever, undervaluing all the Reasons of the House of Commons, and contrary to the just desires of the whole body of the Kingdome, I need not use more words to declare.

To finish this point. All that hath beene said against the Clergies intermedling with Civill and Temporall affaires (other than for necessary and comfortable provisions for Lively-hood) drives to this Conclusion, that if it be so great an hinderance to the exercise of the Ministerial Function to be imployed

ployed in temporall matters which are but ordinarie, it muſt needs be a farre greater hinderance to that holy calling, for Biſhops to Vote in Parliament, becauſe they cannot doe it as it ought to bee done, without ſo much skill and dexterity in ſecular affaires of all ſorts that poſſibly can come within the debate and reſolution of a Parliament, as muſt needs take up the greateſt part, if not the whole of a mans time, ſtudy, ſtrength and abilities bee they never ſo great and many, to fit him for that great ſervice altogether beſide (I might adde inconſiſtent with) his Calling of the Miniſtery.

2. ANSWER to the firſt REASON.

" It is propter majus bonum Eccleſiæ.

EXAMEN.

Cujus contrarium, &c. What good they have done in Parliament, for the Church (unleſſe to uphold the Synagogue of Rome,) let all Hiſtories ſpeake, that have taken any notice of the acting and carriage of matters of Religion debated, and Voted in Parliament, ſince the firſt entrance upon a Reformation in this Kingdome.

It is true that in the Reigne of King *Henry* the eight, one *Cranmer* was active in the cauſe of God, againſt thoſe ſixe bloudy Articles, which coſt ſo many their lives. But, of all the Hierarchie, not one was found to joyne with him, but all oppoſed, and he alone for three dayes together was

faine to ſtand to it, and at length, by the malice, practice, and potency of the Prelates, hee was overcome, and the cauſe carryed againſt him, *Acts* and *Monuments par.* 2. *page* 1037. *edit.* 1610. This was in the yeare 1540.

When about foure or five yeares after, *Cranmer*, in two ſeverall Parliaments uſed his beſt endeavours to get that bloudy Law repealed, and had before hand (as he thought) drawne over to his ſide the Biſhops of *Worceſter*, *Chicheſter*, and *Rocheſter*, who promiſed to aſſiſt the cauſe in Parliament; yet when it came to the tryall, all the Biſhops forſooke him and the cauſe againe. In ſo much as the King himſelfe, and the Nobility ſtood to him ſo farre, as to give way to a moderating of the former Law, when the Biſhops would not abate the leaſt part of the rigour thereof. *Antiq. Britanni.* in *Cranmero.*

In King *Edward* the ſixth his Reigne, it is true, a bleſſed Reformation was happily begun; but, by whom? By the Biſhops? No verily, *Cranmer* only excepted. For he and the Protector were the men that adviſed the King, and went through with the worke. As for the great Biſhops, *Gardiner* of *Wincheſter*, and *Tonſtall* of *Dureſme*, *Bonner* and others, they ſerved to fill priſons, and diverſe ran away. And in all Letters of the Lords for more particular Reformation, it was onely Canterburie and the Nobilitie that did promote the buſineſſe. See *Acts* and *Monuments* in King *Edward* the ſixth.

But in Queene *Maries* dayes, who but Biſhops for the Maſſe, and all the groſſe body of Popery, both

both in Convocation and Parliament? *Cranmer*, and the reſt of the Orthodox Biſhops were ſoone perſecuted, and at length committed to the fire; while the Popiſh Prelates, being reſtored to their places, ſpared no diligence to promote Popiſh Idolatry throughout the Kingdome, and that by their Votes in Parliament, whereby they might more plentifully ſhed bloud by a Law.

When GOD delivered this Kingdome from thoſe *Marian* flames, and ſet up bleſſed Queene *Elizabeth*, it cannot be denyed, but that in the Bill for reſtoring all ancient Juriſdictions to the Crown and for reeſtabliſhment of Religion and ejection of Popery, the *Lords Spirituall* are named in the Act, becauſe the bill being carryed by the greater number of Votes, the diſſenting party which was the leſſe, are included in the reſt, and it becomes the Act of all, in common repute, and eſteeme of Law.

But little thankes to the Biſhops for any of that Reformation which was then reſtored. We finde the Biſhops of *Wincheſter*, *Litchfeild*, *Cheſter*, *Carlile* and *Lincolne* appearing in open defence of Popery while that Parliament was ſitting. *Act* and *Monuments par.* 2. *page* 1619. *edit.* 1610. But theſe were not all that ſtood for that cauſe: Witneſſe the deprivation of *Heath Arch-Biſhop of Yorke*, *Tunſtall Biſhop* of *Durham*. *White* of *Wincheſter*, *Thyrlby* of *Ely*, *Warſon* of *Lincolne*, *Baines* of *Coventry* and *Litchfeild*, *Bourne* of *Bath* and *Wells*, *Chriſtopherſon* of *Chicheſter*, *Oglethorp* of *Carlile*, *Scot* of *Cheſter*, *Morgan* of Saint *Davids*, beſide *Bonner* impriſoned, *Pates* of *Worceſter*, *Goldwel* of

Saint *Asaph* in exile, for the same Pseudo-Catholike cause. None of all which can with any probability of reason bee imagined to have Voted for the restoring of the Truth, they being by vertue of that Statute deprived for opposing the Truth.

And albeit, I know nothing but by heare-say of the generall carriage of Bishops in Parliaments sithence, and so doe not charge them: yet how often they have with-stood bills against Non-residency, * Pluralities, and other evils and defects in the Reformation of Religion, and of their Courts, the world hath beene sufficiently informed; insomuch as the House of Commons hath already declared and resolved at a Generall Committee of the whole House, *Iune* eleventh, 1641. That the Bishops have beene found by long experience to bee great hinderances of a perfect Reformation, and of the growth of Religion. *En majus bonum Ecclesiæ* produced by the Vote of Bishops in Parliaments!

* In 31. *Elizabeth* a Bill against *Non-residents* passed the House of Commons, & being in the other House greatly approved of & much spoken for by many of the Temporall LORDS, yet, through the earnest labouring of the Bishops, it could have no passage there. Another Bill for reforming Ecclesiasticall Courts in King *James* his time, passed, till it fell among the Bishops, and there was stayed.

And as their voting in Parliament, in matters of *Religion*, is *ad detrimentum, potius quam ad utilitatem Ecclesiæ*; so it cannot bee imagined how their Votes there, in *Civilibus*, should conduce more *ad majus bonum Ecclesiæ*: Except the wilfull and incorrigible continuing in a course forraine and contrary to their proper Calling, and such as (being duely performed) *is a very great hinderance to the exercise of their Ministeriall Function* (as hath beene before declared) can redound to the greater good of the Church, which they seldome looke after, unlesse to receive the profits of it, and to plague those

those who are profitable in it, that themselves may more splendidly and securely (in Parliament, and every where else,) *Lord it over the* whole *heritage of God.*

3. ANSVVER, to the first REASON.

"*The Apostles unnecessarily put themselves to*
"*more hinderances, to worke for their liveli-*
"*hood, Acts* 20. 24. 1 *Thessalo.* 2. 9.
2 *Thess.* 3. 8.

EXAMEN.

Vnnecessarily? Boldly spoken: and were I sure that one of my fellowes or equalls had written it, I should without breach of good manners, pronounce it saucinesse little short of blasphemie. Was it not *necessary* that the Apostles should have a livelihood? And was the procuring of it by *labouring with their hands* (although I know none but one, after CHRISTS Ascension, that was put unto it) to avoyd the oppression of poore converts, or to prevent scandall among either poore or rich, converted or unconverted, an *unnecessary* thing? This may bee a straine of Policie passable enough among Spirituall Lords of Parliament, but was never knowne to bee good Divinity among

among such as desire to approve themselves unto GOD.

I have bin taught that *Necessarium* is put sometimes *pro utili & pro congruo & convenienti*, as well as *pro naturali seu debito*, or *pro violento seu coacto*. And I have learned among the Schoole-men, that there is a necessitie not only *absolutè & simpliciter sic dicta*, but also *ex suppositione & conditione*, when a thing not simply necessary in it selfe, becomes such in regard either of end, meanes, circumstances *or otherwise*. When Saint *Iohn* (1 Epist. 2.27.) tells the Christians, *yee need not that any man teach you*, was his writing to them to instruct them further, *unnecessary?* When Saint *Pauls abiding in the flesh* was *more needfull in regard* of the *Philippians, for their furtherance and joy of faith, Philip.2.* Shall any man be so hardy, as to avouch his abode in the flesh to be unnecessary, which yet was not simply necessary in it selfe, or unto him?

So, circumstances of time, place, and person, may make that *necessary* in some places, at some times, and among some persons, which yet of it selfe is not so. Thus was it in some of those particulars which are called *these necessary things, Acts* 15. 28. yet were it no small presumption for any man to call *those things*, in reference to that very Text, without some distinction expressed, *unnecessary*. So it is here.

When Saint *Paul* saith, *these hands have ministred unto my necessities, Acts* 20. 34. shal any man say, that ministration was *unnecessary?* If it bee said, it was so, in regard of his right to maintenance; it is true; but, when it is pronounced without such limi-

limitation, it is a contradicting and thwarting of the Apoſtles expreſſion, as if hee wanted skill or care to expreſſe himſelfe as became him, and a miſleading of an uncautious Reader, to ſwallow downe an errour inferred from it. For what is hence intended to bee inferred, but this; That, as the Apoſtles did *unneceſſarily* labour with their hands when they might have avoided it: So Biſhops may according to that example, vote in Parliament, although the thing bee found unneceſſary to a Biſhop? Now this is a corrupt inference from ambiguous premiſſes, and the ambiguity lies in the word *unneceſſarily*: for if the word bee ſpoken abſolutely and without all limitation, it is abſolutely falſe: if a limitation bee intended, it ought to have been expreſſed, and then any intelligent Reader would ſoone have beene led to conſider and compare that act of the Apoſtle, with the preſent *unneceſſarineſſe* of Biſhops votes in Parliaments; and thereby have beene enabled to diſcover the weakneſſe and unſufficiency of this unneceſſary impertinent Anſwere, becauſe hee would eaſily have found great and wide differences betweene thoſe two caſes. 1. Working for a livelihood is a matter of neceſſity, when it cannot otherwiſe bee ſo well obtained without oppreſſion or ſcandall, which was the Apoſtles caſe: But Biſhops voting in Parliament, when no neceſſity at all, either of maintenance or ſcandall can bee feared, is a worke of ſupererrogation, and an unneceſſary ſinfull neglect of their owne Function. 2. The Apoſtles working with his hands might better conſiſt with the exerciſe of his Miniſteriall Office, becauſe hee had his furni- Mat. 10.9,10 Ioh. 16.13,14

Gal. 1. 11, 12. ture thereunto by divine inſpiration, whereas all men now muſt continually and induſtriouſly apply themſelves to their Bookes and Meditations, to 1 Tim. 4. 13. 2 Tim. 2. 15. make them *workemen that need not to bee aſhamed.* 3. The Apoſtles working with his hands was but for a ſeaſon while the preſent neceſſity laſted, but the Biſhops would willingly Vote in Parliament to the end of the world, although there bee no neceſſity of it at all, but great inconvenience and ſcandall accruing to the Church thereby, and a Bil tranſmitted by the honourable Houſe of Commons to the Lords againſt it, as many wayes inconvenient and intolerable.

It were eaſie to adde more differences, but theſe may ſuffice: So alſo may that which hath beene 1 Theſ. 2. 9. 2 Theſ. 3. 8. already ſaid, for the clearing of thoſe other two Texts that remaine.

4. ANSVVER, to the firſt REASON.

"*What hinderance can it be to their Calling, that*
"*once in three yeares, when they muſt neceſſari-*
"*ly attend the Convocation, they divide ſome part*
"*of that ſhort time to the attendance of Par-*
"*liament?*

EXAMEN.

This is not an *Anſwer*, but a Queſtion; and ſuch as, if the firſt *Anſwer* bee true, little needed. But that which hath beene ſaid in examination of that firſt Anſwere, may alſo ſuffice to ſatisfie this In-

Interrogation. The *hinderance* lyes not ſo much in the expence of a ſhort ſpace ſpent in the Parliament Houſe, as in the long time requiſite to fit a Biſhop for ſuch multiplicity of weighty buſineſſes as are proper for a Parliament: except hee thinke it enough to vote Bils by rote, according to the impetuouſneſſe of his friends, or the loudneſſe of the cryes made for or againſt them.

Beſides, Times and other Circumſtances may, and often do ſo alter the State of the ſame matters; that, if even the ableſt and moſt vigilant Sateſman bee not more aware, Bils may be offered, which are perhaps moſt plauſible in preſent appearance, and might bee very profitable too, at ſome other ſeaſon, that would prove moſt pernicious in the iſſue, if now they were ſuffered to paſſe. Now, he that hath not his eyes in his head, or his head not conſtantly at worke (even out of Parliament) to obſerve and ponder the ſeverall changes and windings of affairs and ſeaſons, can never bee a judicious Peere in Parliament; but (at his beſt) an Emperick, who, when his totall is caſt up, is ever found more hurtfull than profitable, yea a very peſt to the publike; unleſſe, laying all other buſineſſe aſide, hee double his induſtry to make future recompence for his preſent inſufficiency, and by his diligence to ſupply the defects of his former education, as to this Calling; he having been firſt intended and moulded for another profeſſion.

And, if Biſhops take this courſe, to become like *the children of Iſſachar, men that have underſtanding of the times to know what Iſrael ought to doe*, and to enable themſelves for Parliaments indeed; it is eaſie 1 Chro. 12. 32.

to conclude, what hinderance this not onely may bee, but cannot but bee to their Miniſteriall Function. For, if the *Levite* take upon him *Iſſachars* Office, and fall to tampering ſo high in Temporalls, hee will ſoone prove an *Iſſachar* in Spirituals, and become couchant betweene his two burthens.

Gen. 49. 14.

Againe, I hope it will very ſhortly appeare, that it will be farre from being *neceſſary* for Biſhops *once in three yeares, to attend the Convocation*, as the frame of both yet ſtandeth among us. Our *Convocation* is but a meere ſhadow, a plaine mockery. Synods were ordained for more uſe and activity, than to patter over a latine Letany upon Wedneſdays and Fridays, and to give ſo many Subſidies as it pleaſeth his Grace to propound to the engaged and enthralled Clergy; or to paſſe a few illegall, ſeditious, Antiparliamentary Canons, firſt caſt in the mould of ſome brain-ſick Incendiary, that would needs be the *Dominus fac totum*, and the head of a pragmaticall, Papiſticall, Atheiſticall Sanction.

And, if Synods were (as I truſt they wil bee) reſtored to their priſtine courſe and extent, agreeable to the Word (without which, better we never ſaw Convocation more; as, I hope, wee ſhall not) there would be ſo much worke to doe in them, as would even tire out the moſt indefatigable ſpirits of the ableſt men, to conſider of errours in doctrine which daily creepe in to corrupt the truth; of explanations of Doctrine already eſtabliſhed, when perverſe men make uſe of the generality or ambignity of the terms wherein they bee couched; to countenance their fancies and fanaticke opinions; of preparing a plat-

platforme of Diſcipline agreeable to the will of God, and uſefull for his people; of cenſuring ſuch as bee too great for leſſer Aſſemblies; and of Appeales from inferiour Synods to that higher Judicatorie.

Then, would godly and conſcientious Biſhops finde ſo much to doe in Convocations or Synods, as would leave them little leaſure for attendance in Parliaments, where the Peeres doe, or ſhould ſit every day (or they have little reaſon to Vote in thoſe Bills and Cauſes there agitated, when they have not heard the debates;) and ſoone let them ſee, that all the time they could redeeme (although they ſate every day, and ſate out the day) would bee much too little maturely to diſcuſſe, and deliberately to determine all buſineſſes of Synods. *Ergo*, it muſt needs bee a *very great hinderance* to the proper worke of their Calling, when, *once in three yeares they muſt neceſſarily attend the Convocation* (reformed, and reſtored to the truly Primitive nature, and uſe) if *they divide* any *part of that ſhort time to the* attendance of Parliament. Thus farre the Examination of all the *Anſwers*, to the firſt *Reaſon*, which being the Principall, I have beene the longer in it, aſwell for the aſſerting of the *Reaſon* it ſelfe, as for examining the ſtrength of the *Anſwers* that would, but cannot enervate or abate the vigour of it.

II. Reason of the House of Commons.

BEcause they doe vow and undertake it at their Ordination, when they enter into holy Orders, that they will give themselves wholely to that Vocation.

I. Answer.

To this a three fold *Answer* is given.

"*This Vow and undertaking in Ministers Ordination is quite mistaken: The words are in the Bishops Exhortation, not in the Ministers Answer.*

Examen.

Mistaken, and *quite mistaken?* Why so? Because *the words are in the Bishops Exhortation, not in the Ministers Answer.* But where hath the House of Commons yet said, that the *words are in the Ministers Answer?* Surely not in their second *Reason*, against which this *Answer* is directed. Therefore, this branch of the *Answer* to that *Reason* might have well beene spared.

The words are confessed by the *Answerer* to bee used at the *Ministers Ordination.* This is enough to justifie the House of Commons, and their *Reason.* And, what though it bee spoken by the Bishop, not by the Minister at that time? this doth not disprove his *Vow.* Little children utter no words

words in Baptiſme; yet, doe they not enter into a *Vow*, when the Miniſter declareth upon what terms they be admitted, and the whole action is managed by others?

The Biſhop ſpeakes theſe words at the Ordination of Miniſters; *We have a good hope that you have well weighed and pondered theſe things with your ſelves, long before this time, and that you have clearely determined by Gods Grace, to give your ſelves wholly to this Vocation, whereunto it hath pleaſed God to call you, ſo that (as much as lyeth in you) you apply your ſelves wholly to this one thing, and draw all your cares and ſtudies this way, and to this end.*

All this the Miniſters heare when they enter into holy Orders. The Biſhop takes it for granted that they have done all this, that they have fully reſolved, and *decreed* it, (as the Latine hath it) long before, and that by invocating of Gods Grace for performance; which decree beforehand, with invocation ſuppoſed, and conſent at preſent to bee admitted into Holy Orders upon this condition, by their ſilence witneſſed, makes it to amount (materially, if not formally, *quoad omnia*) to a Vow, that is, to ſuch an obligation as engageth them to *undertake* and make good what in this Reaſon is affirmed of them. For, I have learned ſo much out of *Calvin*, the Civilian, that ſometimes *Votum ponitur pro conſenſu*: and no man denies ſilence, in ſuch an action, to bee conſent. And more than this, the Houſe of Commons ſay not: for they ſpeake not of a formall Vow vocally pronounced by the Miniſter, in that action. *Lexic. Incid.*

How-

Howbeit, if I may utter my private opinion freely of this point, without prejudice to the Houſe of Commons, and without engaging them further than themſelves intended, I humbly conceive, that the Church of England, in her fifth Queſtion propounded by the Biſhop in the ordering of Miniſters, doth fully intend as much as is contained in thoſe words of the Exhortation before rehearſed: and, to that Queſtion, the Miniſter poſitively anſwereth, *I will endeavour my ſelfe ſo to doe, the Lord being my helper. Ergo*, hee formally voweth at his Ordination, what is contained in the Second Reaſon of the Houſe of Commons.

To cleare this, I ſhall firſt ſet downe the words of the Queſtion; *Will you bee diligent in prayers, and in reading of the holy Scriptures, and in ſuch ſtudies as helpe to the knowledge of the ſame, laying aſide the Study of the World and the Fleſh?* To this, the party to bee ordained anſwereth, *I Will endeavour my ſelfe ſo to doe, the Lord being my helper.*

Next, I muſt pray the Readers to conſider, that the ſureſt expoſition of theſe words muſt needs bee found in that Booke from whence the words were taken, and ſet into the Booke of Ordination more briefly than in the Originall they bee expreſſed. All the learned know, that *Bucer* was the chief man, who at the requeſt of *Cranmer*, cenſured the firſt Publike Leiturgie of *Edward 6.* whereupon it was reduced to a better forme.

In that firſt Booke, there was no forme of *Ordination* preſcribed: but in the 5. 6. *Edward 6.* it

was

was added. This *Exhortation* and the *Queſtions* and *Anſwers* to them, in our preſent Booke of *Ordination*, were not borrowed (as ſome ſuggeſt) out of the Romane Pontificall, but were *Verbatim* taken out of that grave and learned Treatiſe of *Bucer* entituled, *De Ordinat. Legitima Miniſtrorum Eccleſ. Cap. ult.* extant in his *Script. Anglican. Ergo*, the full meaning and latitude of this Queſtion muſt bee taken thence.

Now the Queſtion is there propounded thus; *Tempus omne quod vobis a ſacris Miniſteriis publicis & privatis, ac neceſſaria & frugali corporis cura ſuperfuerit, id omne precibus & lectione Divinarum Scripturarum, iiſque ſtudiis quæ cognitionem Scripturarum, & docendi facultatem adjuvant & ornant, rejectis a vobis cunctis mundi & carnis ſtudiis & negotiis, feriis & ludicris, impendetis?* The Anſwere, *Impendemus, juvante nos Domino.*

So then, the full latitude of the Queſtion (which is contracted in the booke of Ordination) extends to a ſolemne vow and undertaking on the Miniſters part, when hee enters into Holy Orders, to beſtow all his time, either in the exerciſe of his Office, or fitting himſelfe further for it; and, to lay aſide not onely the *vanities* and *pomps* of this wicked world (as hee vowed to doe in Baptiſme;) but all ſecular *buſineſſes* and imployments; neceſſary proviſion for himſelfe and family (which God himſelfe impoſeth upon all) excepted. And all this,

in his ſolemne *Anſwere* made to the Biſhop at his Ordination, the Miniſter formally covenanteth and voweth by Gods grace to performe. Which being ſo, there can no ſcruple remaine in any impartiall man, but that the ſecond *Reaſon* of the Houſe of Commons is true, ſolid, and concluding againſt the Biſhops Votes in Parliament, *quod erat demonſtrandum.*

2. ANS. to the ſecond REASON.

" *The Biſhop hopes they will give themſelves* " *wholely to that, and not to any other Trade or* " *Vocation.*

EXAMEN.

And *hope* ſo hee cannot, if Biſhops may ſtill vote in Parliament. Becauſe they cannot doe that, with profit or ſafety to the Common wealth, without giving their mindes not to ſome one other ſingle trade or vocation only, but to every trade and courſe of life, ſo farre as to make them complete Sateſmen, as hath beene ſhewed before. For, what Trade or Vocation is there to be found, which ſometime or other makes not buſineſſe for the Parliament? And how ſhall hee give a Vote in it with judgement, that hath not a good inſight into all the Myſteries of it.

If it ſhould (as poſſibly it may) bee objected, that

that by this ſtrict rule, many of the Nobility, ſhould bee excluded? I anſwere, that if they bee not throughly qualified and furniſhed for that worke, the more the pity, becauſe the more the Common wealth ſuffers by their inſufficiency. Howbeit the ingenuouſneſſe of their nature and education, will make them leſſe forward in ſpeaking, and more diligent in hearing their ancients and men of more gravitie and experience. Nor is it fit that for ſuch inſufficiencies they ſhould be turned out, but rather remaine there as in a Schoole (as wee ſee ſome of the ſonnes of the Noblemen doe) to traine them up to doe ſervice there to the King and Kingdome, it being an honour to which they were borne; whereas Biſhops ſit there but *Precario*, and are out of their Callings all the while.

But, is that all that the Biſhop *hopes*, namely, that the perſons to bee ordained will not take *another Trade or Vocation* upon them? Then belike, if a Miniſter doe not profeſſe the Trade of a Taylor, hee may yet ſpend part of his time in Tayloring. Hee may ſometimes give himſelf to Brewing, ſo he ſet not up a Brewhouſe, *&c.* But ſurely our Law is ſo ſtrict in ſuch caſes, that it forbids Miniſters to have ſo much as a Brewhouſe or Tan-houſe, although managed by others, further than for the neceſſaries of houſe keeping; nor otherwiſe, to take to Farme or Leaſe, any Lands or Tenements, albeit the ſame bee occupied by ſome other perſons,

if it bee to the Miniſters uſe. 21. *Hen.* 8 13.

And why ſo? Is it becauſe the Lawes doe envie the wealth of Spirituall perſons? That were an uncharitable ſurmiſe. The end was, that Miniſters might have no occaſions of a vocation from their Studies and Miniſteriall Function, but have more opportunity to beſtow themſelves wholely thereupon, according to what they promiſed and undertooke at their Ordination, *for the more quiet and vertuous increaſe and maintenance of Divine Service, and preaching and teaching of the Word of God, &c.* as the entrance into that Statute doth expreſſe it.

So then, if we conſider Biſhops, according to what the Common wealth expecteth from them in her Lawes, as well as what the Church bindeth them unto in their Ordination, as Miniſters of the Church of England, they may not regularly, give themſelves not onely wholly to any Trade, but not at all to any imployment but the Miniſtery, and to that which is neceſſarily required to fit them for it, and ſupport them in it.

3. ANS. to the ſecond REASON.

"*Wholely in a Morall, and not in a Mathema-*
"*ticall ſenſe, that will admit no Latitude: els*
"*there might the ſame exception bee taken a-*
"*gainſt their juſt care of proviſion for their*
"*houſhold affaires.*

EXA-

EXAMEN.

If they by their Ordination bee bounded Morally; the Houſe of Commons will never, I preſume, trouble themſelves about the *Mathematicality* of the *Vow*. Nor will I be ſo bold, to ſay of this diſtinction, of the words of the *Exhortation* in queſtion, as the Author of the *Holy Table, Name, and Thing*, doth of a like ſubtile interpretation of a *Rubrick*, newly minted by his Antagoniſt, *praying him to remember, that the Rubrick was written for the uſe of the Engliſh, not of the Gypſies or Egyptians.* Yet this I ſuppoſe I may freely and truly ſay, that neither Learned and Pious *Martin Bucer*, nor the plaine meaning Church of England, which borrowed that Exhortation from *Bucer*, ever ſo much as dreamt of the Mathematickes, or of that diſtinction here given, in thoſe words of the Exhortation; but meant honeſtly and plainly to let all Miniſters know, that, without diſtinctions or tricks, they are to bind themſelves wholly and abſolutely, *Mathematically* aſwell as *Morally*, to that Vocation of the Miniſtery; further than the neceſſity of livelyhood enforceth them to ſpend ſome time to ſupply the wants and neceſſary occaſions of them and theirs. And to this I may, I hope, without offence make bold to adde (becauſe I have learnt it from the ſame Author, of the *Holy Table, &c.* page 52. as hee out of *Ariſtotle, Anal. Poſt. Lib.* 1. *Cap.* 12) Ὡς οὐκ ἂν εἴη ἐν ἀγεωμετρήτοις ἀεὶ γεωμετρίας διαλεκτέον; λίαν γὰρ ὁ φαῦλος διαλεχθήσεται. *You muſt not diſpute in termes of Geometry; with thoſe that verſe* Page. 54.

not in Geometry; otherwise you will shew your selfe but a foule and sophisticall disputant, as that Author hath it.

But let the distinction bee as it will; thus much is clearely gotten by it, that the *Answerer* hereby yeeldeth, that, *Morally* Bishops cannot vote in Parliament, without crossing the expectation of, and condition propounded by the Church, in admitting them to Holy Orders; and that they vote there and imploy themselves in secular affaires *Mathematically* only. Surely, if their voting there (for that wee know is the thing to bee asserted by him in his *Answers*, because that is it which is opposed in the Reasons of the House of Commons) consist not with the Rules of Morality, it is no great credit for them to retaine that honour, nor will it at length bring in much comfort to them, when they must yeeld up their accounts to God, that they were never forbidden it according to the strict Lawes of the *Mathematickes*, although indeed *Morally* they were bound from it.

And what, must they needs bee debarred from *the just care of provision of their houshold affaires*, if denyed votes in Parliament, and liberty unto secular imployments, to enable them so to vote? Nay, God himselfe not only allowes, but imposeth upon all men a care of their family-businesse and government, *Prov.* 27. 23. and he that is negligent herein, is pronounced *worse than an Infidell*, 1 *Tim.* 5. 8. God hath not divided this from any Calling, in ordinary course. And what hee hath joy-

joyned, no man may ſeparate. Therefore, both the Church in her *Ordination* (as appeared by the larger expreſſion thereof before out of *Bucer*) and the Kingdome, in her Lawes (as is alſo manifeſt in the Statute before alledged) excepteth this care of proviſion for their houſholds, when yet both Church and Kingdome binde them to give themſelves (in all other particulars) wholly to the Calling, ſtudy and exerciſe of the *Miniſtery*, *which they have received in the Lord, that they may fulfill it.* Colloſ. 4 17

III. Reas. of the Houſe of Commons.

BEcauſe Councels and Canons in ſeverall ages do forbid them to meddle with Secular Affaires.

To this 3. *Reaſon* a five fold *Anſwere* is directed.

I. Answver.

" *Councels and Canons againſt Biſhops Votes in*
" *Parliament, were never in uſe in this King-*
" *dome, and therefore they are aboliſhed by the*
" *Statute,* of 25. Hen. 8.

II. Answver.

" *So are they by the ſame Statute, becauſe the*
" *Lords have declared that the Biſhops vote*
" *here by the Lawes and Statutes of this Realm;*
" *and all Canons that croſſe with thoſe, are there*
" *aboliſhed.*

III. Rea-

III. Answver.

" *So are they by the ſame Statute, as thwarting* " *the Kings Prerogative to call Biſhops by ſum-* " *mons to vote in Parliament.*

IV. Answver.

" *So are they by the Vote of the Houſe of Commons,* " *21. Maii 1641. becauſe they are not confir-* " *med by the Act of Parliament.*

Examen.

I put all theſe *Anſwers* together, becauſe they will not need diſtinct Examinations, they being much what coincident, at leaſt in the maine ſcope, which is; to keepe this third *Reaſon* out of the Court, as being no ſufficient evidence in Law, to eject the Defendants out of their holds in Parliament, againſt ſome of their deſires.

It is acknowledged, that no Councels or Canons, not confirmed by Parliament have, here in England, any power to bind the ſubjects either of the Clergie, or of the Laitie; as hath been clearly *Reſolved upon the Queſtion*, this Parliament, in both houſes.

But whether the Houſe of Commons referre to any Canons ſo confirmed, I may not take upon mee to affirme or deny; becauſe they have beene pleaſed to forbeare to cite thoſe to which they

they doe referre. Nor can it bee, I thinke, denyed, that any Canons were in uſe within forty yeares before the Statute of 25. *Hen.* 8. 19. (to which I conceive the *Anſwerer* hath relation) againſt Biſhops votes in Parliament: and ſo, Biſhops bee ſhot free from ſuch Canons, if urged againſt them in that capacity, as binding Lawes.

But what neede the Anſwerer to have taken all this paines of multiplying of *Anſweres* to ſhew that no Councels or Canons not ratified by Parliaments, bee binding to Biſhops, in this or any caſe whatſoever? For, where hath the Houſe of Commons ſo urged them? Surely, not here. They have not vouched them as Lawes to thruſt the Biſhops out of the Houſe of Peeres, as ſitting there againſt the Lawes already in being; but, as rationall Arguments and prudentiall Grounds, to induce the Parliament to uſe their Legiſlative power to abrogate the Lawes (if any be) for their ſitting there; ſeeing that many godly Biſhops in former Ages have made divers religious and wholeſome Conſtitutions and Proviſions againſt ſuch exorbitant uſurpations of the Clergie. For however thoſe Canons bee not formally obligatory here, yet are they really worthy the Conſideration of thoſe who have a power to reduce Biſhops by a binding Law to that which heretofore ſo many learned and pious men of their owne Coat and Calling, have pronounced and decreed to be juſt and neceſſarie.

Further than this the Houſe of Commons bee not engaged. And who knows not that the Biſhops and their Officers have, and ſtill doe urge divers Canons of forraigne Councels and domeſtique

too, that never were confirmed by Parliament) upon both Clergie and Laitie, when such Canons make for the Bishops or their Officers. And these must take effect, like the Laws of the *Medes* and *Persians*. And yet now, when they see such Canons turned upon themselves, although not as Lawes, but as rationall arguments only, how witty they be in putting off all by the Statute of 25. *Hen.* 8. which makes nothing at all against the House of Commons, or this *Reason* produced by them!

And what offence, or incongruity was it in the House of Commons, to urge Canons and Councels against the Bishops in this particular, when no Divine that ever complained of such usurpations of the Clergie hath held it incongruous to presse the very same against them? I will not trouble my selfe or others with many instances; that alone shall suffice, which hath beene before * alledged out of *Matthew Parker* Archbishop of Canterburie. That Prelate taxing the excessive exorbitances, and scandalous courses of the Clergie, in the reigne of *Richard* 1. was not affraid to give this as the chiefe (if not the only) reason of all that prodigious breaking out; *Quod contra Orthodoxorum Patrum decreta &c.* that contrary to the decrees of the Orthodoxe Fathers, the Clergie did too much intermeddle in worldly businesses.

* *Exam.* of the first *Answer* to the first Reason.

If then, so great a Prelate did well in laying this home to the charge of the Clergie, that their not regarding the Decrees and Canons of former Councels, was the maine cause of all the evills committed by them; it cannot unbecome the House of Commons assembled in Parliament, and pas-

sin

ſing a Bill againſt Biſhops Votes in Parliament, to produce and uſe the Canons and Councels, of Biſhops themſelves againſt ſuch courſes, held on and maintained by our Biſhops againſt the judgement, and ſolemne determinations of their owne Predeceſſors, in the Prelacy in all the Churches of Chriſt.

As for the Declaration of the Lords, that *the Biſhops Vote in Parliament by the Lawes and Statutes of the Realme*, I meddle not with it, becauſe as I am ignorant of the Lawes and Statutes by which they vote, ſo am I not acquainted with what the Lords have declared thereupon. Only I have heard, that divers *Abbots voted as anciently in Parliament as Biſhops, yet are taken away.* Yea, this *Anſwerer*, hath informed mee, that anciently the *Biſhops* were *aſſiſted* in Parliament; *with a double number of Mitred Abbots and Priors.* But Sir *Edward Cooke* could find no more in the Parliament Rolles but twenty ſeven Abbots and two Priors, *Commentary* on *Littleton Inſtitutes Sec.* 138. Nor doe I know the difference of the Tenures of the one or of the other; or why in regard of originall right, Biſhops ſhould rather vote in Parliament than *Abbots* and *Priors*, ſo long as thoſe Orders continued in being. That great Maſter of Law, before named tels us, that both Abbots and Biſhops were called to Parliament by the Kings *Writ*, elſe, they came not there, although they held of the King *Per Baroniam.* Witneſſe the Abbot of the Monaſterie of *Feverſham* founded by King *Stephen*, who albeit hee held by Barony, yet for that hee was not called by Writ hee never

Anſwer to Reaſon 1.

Ibid.

ſate in Parliament. And perhaps, it is not ſimply a Barony that gives all the Biſhops a right to ſit there, for I have read ſomewhere, that all the Biſhops of King *Henry* 8. his foundation have not Baronies annexed to them. Yet they are called by Writ, and vote as Peeres in Parliament.

But, bee their right what it will, I heare nothing from the *Anſwerer* how farre this right extended. The Lords have, I believe, declared, in this very Parliament, that the Biſhops have no votes *in cauſa Sanguinis*; and, I thinke the Biſhops have found it to be ſo. And to my ignorance it is a ſcruple, whether they had originally any libertie of Votes in Givill and State affaires, and were not reſtrained meerly to matters of Religion.

Ibid

The reaſon of my ſcruple is, becauſe I finde in the ſame Commentaries of Sir *Edward Cooke* (for I confeſſe, I aſpire not ſo high as to looke into the Rolle it ſelfe) a tranſcript of an ancient Record forbidding them to intermeddle, upon paine of forfeiting their Baronies, with any matters concerning the Crowne, the perſon of the King, his Eſtate, or the State of his Councell: the words are theſe;

Rot. Pat. de An 18.H.3,m 15 17.

Mandatum eſt omnibus Epiſcopis qui conventuri ſunt apud Glouceſtriam die Sabbati in Craſtin' Sanctæ Katherinæ, firmiter inhibendo, quod ſicut Baronias ſuas quas de Rege tenent, diligunt, nullo modo præſumant Concilium tenere de aliquibus quæ Coronam Regis pertinent, vel quæ Perſonam Regis, vel ſtatum ſuum, vel ſtatum Conſilii ſui contingunt, ſcituri pro certo, quod ſi fecerint, Rex inde ſe capiet ad Baronias ſuas. Teſte Rege apud Hereford, 23. Novemb. &c.

Vide pol. Virg. in H.3.

This was in the 8. of *Hen.* 3. and, in a great Councell

cell or Parliament; not in a private Councell of Domesticks of his owne Court, as *Polydore Virgil*, and *Matthew of Westminster* would insinuate. *In Hen. 3 ad an.* 1234.

Touching the *Kings Prerogative*, it is too sacred to be handled by common or private hands. Farre be it from me to set bounds to it, or to wade farre in it. Only, I believe that the Kings Prerogative is for the good of his people: and, if any person unworthy and altogether unfit (and therefore uncapable) should, by the Prerogative Royall, be called to, and imployed in any place or office of trust, wherein the whole Kingdome is interressed, this were an abuse of the Prerogative, caused by Him that did misinforme the King; and there is no doubt, but a just King who should be so abused, would soone upon better information, recall such a Grant, or Writ. If then the Bishops shall be found to be persons altogether unfit for such high honour and trust (wherein all the Kingdome is so deeply concerned) I only ask (I determine not) what *thwarting of the Kings Prerogative* it could justly bee said to bee, to passe an Act with the Kings *Soit fait, &c.* unto it, that no more such Writs shall henceforth issue to any Bishop of the Kingdome.

5. Ans. to the third Reason.

" *This Argument was in a manner deserted by Ma-*
" *ster* Perpoint, *and confest to be but an* Argu-
" mentum ad hominem.

EXAMEN.

It is very true, that Noble Gentleman, after he had faithfully and like himſelfe diſcharged the truſt committed to him by the Houſe of Commons in writing, hee added a few words, in the cloſe of that Conference with the Lords to this effect; that how ever hee was commanded to urge this Reaſon taken from *Councels* and *Canons*, yet the Houſe did only borrow theſe Arrowes out of the Biſhops own Quivers, to uſe them as weapons againſt themſelvs; not with any purpoſe to bind the Houſe of Commons or other the ſubjects by them.

This was not in any ſort a deſertion of the Argument, but a ſeaſonable explanation of the Houſe of Commons in what ſenſe they uſed it. And were it but *Argumentum ad hominem*, yet was it *ad illos homines* whome it chiefly and moſt neerly concerned, to wit the Biſhops themſelvs, and had force enough in my apprehenſion, to ſilence them, if they ſhould offer to open their mouthes in defence of holding their places and votes in Parliament, any longer. For, if they would but conſider what ſo many famous Biſhops and Councels have ſaid, and decreed againſt Clergie mens interpoſing in, and mingling themſelves with Civill and Secular affaires (which yet be not of that import and conſequence, as theſe in queſtion bee) common ingenuity would make them to lay their hands upon their mouthes, and leave the diſcuſſion and determination hereof to others who are not intereſſed in it, and therfore more likely to bee leſſe partiall in reſolving of it.

IV.

IV. Reason of the Houſe of Commons.

Becauſe the twentie foure Biſhops have a dependency upon the Archbiſhops, and becauſe of their Canonicall obedience to them.

I. Answver.

"*They have no dependency upon the Archbiſhops,*
"*but in points of Appeale, and Viſitation on-*
"*ly. And owe them no obedience, but in theſe*
"*two points. None at all in Parliament, where*
"*they are* pares *their Equals: And, as* Bracton
"*tels us,* Par in Parem non habet imperium.
"*What hath Canonicall obedience to doe with a*
"*vote in Parliament, declared in this Bill to be*
"*no Eccleſiaſticall, but a ſecular affaire?*

To this *Reaſon* a two fold *Anſwer* is framed.

Examen.

The *Reaſon* conſiſts of two branches, *dependency* and *obedience*; both which render Biſhops unmeet to vote in Parliament. For, where theſe two relations meet, make but the Archbiſhops of a ſide, and it will be eaſie to draw the reſt the ſame way. The *Anſwer* endeavours to take off both at one pull, becauſe there is neither *dependance* upon, nor *obedience* due to the Archbiſhops but in two points, *Appeales*, and *Viſitations*, which no way concern Parliaments or the diſpoſe of their votes therein, where they bee all *Equals*, and where the Vote is only a *Secular* Act.

To

To examine the truth of the Anſwere ſo farre as it denyes all *dependency* or *obedience*, but in *Appeales*, and *Viſitations*, were not altogether impertinent; if it were a time of leaſure, becauſe it is with ſo much confidence denyed. Bee there no reſerved Caſes pertaining to the Metropolitane, no Prerogative wills, no Inhibitions that may runne, and command in the Dioceſans Territories and Juriſdiction, ſave onely in Caſes of *Appeales*, and during the time of Metropoliticall *Viſitations*? Doth not the Archbiſhop command the ſeverall Biſhops, upon divers occaſions, to publiſh divers things, whether decreed in Synodes, or received from ſupreme Authority?

Hath the Metropolitan no power to correct and cenſure the delinquencies of the Biſhops of his Province, and to command them, by vertue of their Canonicall Obedience, to be more vigilant and diligent, when hee findes them ſlacke in their Office; to enjoyne them ſilence and obedience, if they conteſt and ruffle with his Grace *&c.* to give other ſenſes and interpretations of Rubricks and other matters contained in the Liturgie, than the Biſhop doth, ſo hee expound nothing contrary to the Booke; and is not the Biſhop to bee concluded by it? It were eaſie to adde many moe particulars, which cannot bee reduced to *Appeales* or *Viſitations*. Therefore here the *Anſwerer* came ſhort in his reckoning.

But hee that deſires to looke abroad and to ſee more of this, may conſult *Lancelott. Peruſin. Inſtitut. Iur. Can. Lib.* 1. *Tit.* 5. *De Epiſcopis & ſummo Pontif. Cap. Ad hos.* in the addition of *Io. Bapt.* where it

it is ſaid, *in multiplicibus caſibus Archiepiſcopus in ſubditos Epiſcopos ordinariam habet juriſdictionem, ut in C. paſtoralis de offi. ordin. & Sylveſt. ponit duodecim.* And if theſe be not enow, hee may alſo ſee *Hoſtienſis ſum. li. 1. de offic. ordin.* where there be more caſes (even eighteene in number) expreſſed in certaine verſes, which are there likewiſe interpreted by the ſame Author of thoſe ſummes *Henricus de Seguſio.*

Officium varium, forus, appellatio, crimen
Peccans, non parens, res, conſultatio, deſes
Præſul, Canonici tumidi, ſententia nequam.
Viſitat, indulget Cuſtos quia Papa dat uſus,
Permutat ſocijs ſuſpectum cum, remittit.
*Caſibus his Primas * ſubjectis Præſules arcet.*

* Subjectos, forſan.

I forbeare to mention our owne *Lindwood*, and many moe. Theſe may ſuffice to ſhew in how many things Biſhops have dependance upon, and may be obnoxious to their Metropolitan, and how many wayes the Arch-Biſhop can meet with them, if they go not his way in all things that he is ſet upon.

And were it true, that there is no *dependency* upon, nor *obedience* due to the Arch-biſhop, but in *Appeales, and Viſitations*, as it is a truth that theſe have in themſelves no reference to Votes in Parliament: yet, who knowes not what influence an active and pragmaticall Arch-biſhop hath into the Votes of all his Suffragans, whom hee can pleaſure or diſpleaſe as he liſteth, as they Vote with him, or diſſent from him, after intimation or inſinuation of his mind in private to them?

Indeed, if we could imagine Biſhops and Arch-Biſhops to be ſo complete in ſincerity and ſanctitie

as their high Calling beſpeakes them, there were little ſtrength in this Reaſon of the Houſe of Commons. But, as the Prelates bee men, and not free from that which is humane, ſo the Houſe of Commons conceived it not undecent or uncharitable to inſinuate ſomething more than is plainely expreſſed to ſuch an Honourable and Intelligent Aſſembly of Lords: which reaſon as it is, hath force enough in it to weigh with rationall men; however, for the reverence they bare to the Miniſteriall function, the Houſe held it fitter to leave ſomewhat to be tacitely underſtood, than to ſpeake all out that is couched under it.

2. ANSWER to the fourth REASON.

" This Argument reacheth not the two Arch-Biſhops, " diſcharged in the Rubricke from this Oath: " and therefore is no reaſon for the paſsing of " this Bill.

EXAMEN.

No Reaſon? I am ſure it reacheth twentie foure *Biſhops* home enough although two *Arch-Biſhops* ſhould ſlip Collar, which one of them cannot, and I thinke the other ſhall not. And the *Anſwerer* may bee pleaſed to remember that the Houſe of Commons brought up Reaſons, Why *Biſhops* ought not to Vote in Parliament.

It cannot be denyed but that in the maine body of their Reaſons they included *Arch Biſhops* too. And it is true, this argument reacheth not to them.

What

What then? did the Houſe undertake to ſtrike home even unto *Arch-biſhops*, in every one of their *Reaſons*? Where doth that appeare? It is enough that they have ſufficiently done it in all the reſt foregoing. If the *Anſwerer* thinke otherwiſe, hee ſhall be ſure to meet with more Arguments againſt them, in the Reaſons following. Here indeed he hath ſufficiently confuted this fourth Reaſon, as to *Arch-biſhops*; but it was not their good happe to get ought by the bargaine, becauſe the Houſe of Commons thought not fit to include them within the compaſſe of the Argument, which is bent directly againſt Biſhops onely: and it is the unhappineſſe of the *Anſwerer*, to goe without his Trophee, even where he made himſelfe ſure of the Victory; for he hath fought with a ſhadow.

5. REASON of the Houſe of Commons.

BEcauſe they are but for their lives, and therefore are not fit to have Legiſlative power over the honours, inheritances, perſons, and liberties of others.

I. ANSWER.

"*Biſhops are not for their lives onely, but for their*
"*ſucceſſors alſo, in the Land and Honour that per-*
"*taine to their places, as the Earles and Barons*
"*alſo are for their ſucceſſors, in their owne Lands*

To this *Reaſon* a 5. fold *Anſwer* is ſhaped.

"and honours: And, holding their Lands in fee "simple, may with as good Reaſon Vote in the "Honours, inheritance, perſons, and liberties of "others, as others may and doe in theirs.

EXAMEN.

When the Houſe of Commons ſaith, that Biſhops *are but for their lives*, I conceive the Houſe to meane, that *Biſhops* have no right to place in Parliament but what dies with them, (as to their heires,) without hope that their ſonnes ſhall after ſucceed them in that dignity by vertue of their birth-right, or of the fathers ſitting in Parliament before them. And that therefore, Biſhops being at firſt but caſually mounted to that height and extent of power, by *William* the Conqueror, the more to endeere and oblige them upon all occaſions to ſerve him and his ſucceſſors in Parliament, they cannot (rationally and according to the principles of Policy and State) be hoped to be ſo carefull and reſolute in diſpoſing of their Votes, and in maintaining the priviledge, and honour of Parliaments as Temporall Lords may well be preſumed and expected to bee. For theſe being by birth-right and the fundamentall Lawes of the Kingdome, Lords of Parliament, and one of the Eſtates of the Kingdome (without whom a Law regularly cannot paſſe) they will bee more active and zealous for the good of their poſterity that are ſure to ſucceed them in the ſame place and Honour, and to ſhare in the benefit of the prudent and faithfull diſpoſe of their preſent ſuffrage.

In the fourth of his Reigne, *Caſe of Tenures.* 35. a.

But

But now the *Answerer*, denying the *Bishops to bee for their lives only*, and affirming them to be *for their successors, also, &c.* waives the sense and intention of the House of Commons, and diverts his Reader from the strength of their Argument. For, hee tells us, that Bishops are for their successors, as a kinde of Corporation in Law. It is true that a Bishop is a Corporation to some uses, but that he is so, in respect of his place and Vote in Parliament, the *Answerer* hath yet neither made nor offered any proofe at all. The Bishop is called thither by Writ to counsell the King, upon presumption of his personall sufficiency and fidelity: but *ubi gentium*, doth it appeare, that by vertue of the fundamentall lawes of the Kingdome, the Bishops must needs sit there as a Corporation, without which the Lords House cannot be full? Is it not only from Grace that Bishops were first allowed place there? And if so, they are not immoveable out of their places, and therefore they do not necessarily take up those places for their successors.

But suppose they sit there *for their successors*, yet will it bee very hard to suppose the next thing too, that Bishops are in the same manner there for their successors, in the Land and Honour that pertaine to their places, *as the Earles and Barons are for their successors in their owne Lands and Honours.* For, is there no difference betweene Successors that usually have no naturall legitimate relation to the present Bishops in any degree of consanguinity or affinity; and those of *Earles* and *Barons*, which are their proper heires at Law, and may claime and must enjoy the same Honour which their Ancestors have held before

them, if not tainted in bloud? No difference betweene those that can no more bee denyed place in Parliament (without confusion of all,) than the fundamentall Lawes of the Kingdome and the government thereof can be turned up by the Roots; and those who first crept in by favour, to serve a Conquerors turne, by taking off their dependance upon the Pope and fastening it upon himselfe, and can derive no higher for sitting (as now they doe) in the House of Peeres, than an Act of Parliament, if so high: and therefore by another Act of Parliament, may be discharged?

Now, where the difference of the Title is so great, between a Bishop and an Earle or Temporall Baron, both to their Lands and Honours, and Votes in Parliament; I much feare that the Nobility and Temporall Lords will hardly in their House allow this doctrine, which yet is fitter for them to consider of, than for me to confute: and therefore I leave it: only with this; that, if the Lords shall find cause to reject this position as heterodox, and deny the Bishops to be in Parliament for their successors in Lands and Honours in the same manner, or upon as good and immoveable title as the Nobility be for theirs; then, the Reason of the House of Commons doth stand yet good, as to *Earles and Barons*, and it is no way fit that Bishops should have the same *Legislative power over the Honours, inheritances, persons, and liberties of Earles and Barons*, as these have, or ought to have, over those of Bishops.

As for Bishops *holding their Lands in Fee simple*, I can say little to it, because my skill is very simple

in

in *Tenures*. Only I have beene told that *Fee-ſimple*, is called in Latine *fœdum ſimplex, & idem eſt quod hereditas legitima vel hereditas pura*. So that to ſpeak properly, *Every man that hath a lawfull eſtate in Fee-ſimple hath it either by deſcent, or purchaſe*: neither of which wayes, for ought I know, can the Biſhop derive his Title.

Littletons Priſtit. l. 1. c. 1. §. 1. Cokus in Littl. ibid. fol. 5.

But perhaps in ſome ſenſe, wherewith I am not acquainted, the Biſhops may bee ſaid to hold in *Fee-ſimple*, as the word may be taken in a larger and leſſe proper acception: *Viz.* Becauſe he holdeth Lands in *fee* in right of his Church: but this is not properly *Fee-ſimple*, becauſe he holds them not in his owne right; and the right he hath in them, dyes with him as to his heires. But I have heard, that ordinarily, he that is ſeized of any Lands in Fee, in right of his Church, his tenure is either that which the Lawyers call *Tenure per divine ſervice*, when the Lands are given upon condition that the Donee performe *ſome divine Service certaine* expreſſed in the Gift, or the Lands to revert: or elſe, it is * **en Frank almoigne**, when Lands are freely given, without any divine ſervice certaine to be performed for them.

* *Litt. Inſtitut. li. 2. cap. 6.*

And further; albeit the Biſhops are uſually ſaid to hold of the King *per Baroniam*: yet this haply may be meant rather of the *Honour* affixed to their place, which works it up to a Dignitie, than of the *Lands* pertaining to them, which they alſo hold in **Frank almoigne**, as well as the inferiour Clergy.

Hereupon it is, that in our Municipall Lawes, our Biſhops, for that they enjoy their meanes and mainte-

Sir *Henry Spel. Not. in Concil. Valam. ſub Offa.*

maintenance by the bounty and Almes of Kings, are called *Barones Regis Eleemosynarij*, The Kings Lords Almesmen, or Barons of the Kings Almoigny, as the Almesmen at WINDSOR are called *The Kings poore Knights*: and the Reason is rendred out of *Ranulphus de Glanvill*, (that famous Iudge in *Henry* the second his time,) *quia eorum Baroniæ sunt de Eleemosyna Domini Regis & Antecessorum ejus*, Because their BARONIES are of the Almes of the KING and his Ancestors.

De Legib. Angl. l. 7. ca. 1. in Gulce.

Which being so, my conceit is that (what *Reason* so ever they have on their side, yet) at this time especially, this free and high language, (that *they holding their Lands in Fee-simple may with as good Reason Vote in the Honours, inheritance, persons and liberties of others, as others may and doe in theirs*) might have well beene forborne without prejudice to their Cause. For, if *Almesmen* bee admitted to Vote in Parliament, it will bee their wisedome, I take it, not to bee so much elated as to enter into termes of comparison with the highest; not excepting their Benefactors, or Founders themselves, even in one of the highest points of honour and power.

2. AN-

2. ANSWER to the fifth REASON.

"Many Peeres have beene created for their lives "only, and the Earle of Surrey for the life of his "Father, who yet voted in this House.

EXAMEN.

But have any (except Bishops) beene created Peeres for life, or otherwise, that were not men of great estates and inheritance, or at least of extraordinary birth and sufficiency? Of such eminency were the *Earles* of *Surrey*. But when you mention an *Earle* of *Surrey*, whom do you meane? Is it intended of the Noble Family of the *Howards* descended from the *Mowbrayes*? If of these, you will hardly finde any such, that being an honour not so frequently communicated in former times. Indeed I I find it mentioned that *Iohn* Lord *Mowbray* (Sonne of *Iohn*, Grand-child to *Thomas* Duke of Norfolke) was, by King *Henry* the sixth in the life time of his Father, created *Earle* of *Surrey*, and was, after his Fathers death, Duke of *Norfolke*: but that he was a *Peere of Parliament for, or in the life of his Father*, I finde not. And I have beene told by a Noble branch of that Renowned stemme, and now a Peere, that there was no *Earle* of *Surrey*, made a Lord of Parliament upon such termes. But whether so or so, it matters not much; this being but one single instance.

And how ever you may perhaps instance (when you please) in others not so highly descended, who

have had the honour to Vote as Peeres in Parliament, yet they were ſuch whoſe intereſt is in the publike, and ſhare in poſterity muſt needs weigh downe any of thoſe that the Houſe of Commons deſire to have removed out of the Lords Houſe. For however, diverſe of them bee well lined with wealth, yet the Houſe of Commons are in Parliament to looke upon them, as the Lawes doe; to wit, as upon Almeſmen that are but for their owne lves: and ſurely I beleeve it will be very hard for the Anſwerer to give ſo much as any one inſtance of an Almeſman that hath beene allowed to Vote in Piarliament. Not, that my purpoſe is hereby to diſparage any of that Order, in reference to their function, or preſent honours, but only to ſpeake of them as the Law it ſelfe doth, meerely and only for bolting out of the ſtrength of this branch of the *Anſwer* to the *Reaſons* of the Houſe of *Commons* againſt the continuance of the Biſhops place and Votes as Peeres in Parliament.

3. ANSVVER. to the fifth REASON.

"The Knights, Citizens, and Burgeſſes, are choſen
" for one Parliament only, and yet uſe their Legi-
" ſlative power. Nor will their being elected dif-
" ference their Cauſe; for the Lords uſe that power
" in a greater eminence, who are not elected.

EXAMEN.

The Knights, Citizens and Burgeſſes, ſit not there as ſingle men, but as the repreſentative body of

of all the Commons of England; each of them give their Votes with reference to all thoſe from whom they are ſent. Beſides, they are by the fundamentall Lawes of the Kingdome to be there, *quatales*, however the Election of the particular perſons bee arbitrary and contingent. And although thoſe very perſons may never (perhaps) ſerve again, yet the right and inheritance of the Commons of England (whence every member of that Houſe deriveth) never dyes, ſo long as the Kingdome lives. Therefore who ever, for the time hath the honour to bee a Member of that ſociety, Voteth in right of the Kingdome, not of a particular man.

As for the LORDS, although they neither bee *elected*, nor doe Vote for any but for themſelves and their owne poſterity, yet they have this priviledge from an higher Originall, than the Biſhops can prove themſelves to be deſcended from; namely (as wee ſaid before) not *precario* from Grace and favour, but from the fundamentall Lawes and Conſtitutions of the Kingdome. Beſides, their bloud, breeding, intereſt in the publike, and care for their poſteritie borne to ſo high places, muſt needs aſſure us more of their wiſe, carefull and zealous managing of their Votes in Parliament, than can, by any prudentiall or morall grounds, be hoped from the Prelates.

4. ANSWER to the fifth REASON.

"A Burgeſſe, that hath a Freehold, but for terme "of life only, may Vote and aſſent to a Law in Parliament.

EXAMEN.

Cokus in *Littl. Inſtit. Sect.* 133.

The *Free hold* of a *Burgeſſe*, is not by the tenure of Frank almoigne, (of which the preſent debate is) for no Lay-man can hold any Land in that tenure. Hee is therefore in that regard ſomewhat more capable.

But however this may bee, yet that which was but a little before ſaid to the next precedent Anſwer, will ſerve here alſo. A Burgeſſe doth not Vote in the Houſe of Commons as a Free-Holder (although haply none but Free-Holders or Freemen be eligible) but as a perſon choſen by and for a Burrough which hath right to ſend Burgeſſes to Parliament; and being there, he Votes by the fundamentall Laws of the Realme. Therefore it is not materiall whether his Free-hold bee for life, or for longer time. When Biſhops ſhew the like warrant and Commiſſion, or the like fundamentall conſtitutions of the Kingdome for their Voting in Parliament; then, this *Anſwer* may be welcome to the Houſe of Commons.

5. AN-

5. ANS. to the fifth REASON.

"No ſuch exception was ever heard of in the Diets "of Germany, the Corteſes of Spaine, or the three "Eſtates of France, where the Prelates Vote in all "theſe points with the Nobility and the Commons.

EXAMEN.

What exception hath beene taken to Biſhops in other Kingdomes, is unknowne to me, and perhaps to the Anſwerer alſo: Unleſſe he have ſeene all the Records and Journals of all thoſe Kingdomes. Nor doe I believe that the Houſe of Commons had any Reference to other Nations, nor doe intend to bee preſidented by them. As if, becauſe Biſhops have this priviledge elſewhere, therefore this muſt bee a Reaſon ſufficient for the continuing their poſſeſſion of it here. Nay, every Nation hath its proper Lawes and Cuſtomes, and though it be no ſhame to borrow any thing that is better than our owne, for the publike Weale; yet it is no Anſwer to a Reaſon drawne from experienced inconveniency at home, to ſay that this Reaſon was never heard of in forraigne States.

But yet I thinke, if the matter were throughly examined, it will appeare that in thoſe Kingdomes, Biſhops have a kind of Soveraignty over their ſeverall Territories, and are Temporall Governours as well as ſpirituall Paſtors. And, by the fundamentall Conſtitutions of thoſe ſeveral Empires or Kingdomes,

domes, thoſe Biſhops doe make one of the E ſtates of the Kingdome without which a Law cannot paſſe: Sure I am, it is ſo in Germany, and I beleeve ſo of the reſt, although with ſome difference: for they may make a third Eſtate, and yet not bee ſecular or ſoveraigne Governors over their ſeverall Ditions.

Now, all know that it is farre otherwiſe with the Biſhops of England: and therefore this plea will not be of any force to breake the ſtrength of this Reaſon of the Houſe of Commons, till the Prelates can tranſlate our Lawes and Government into that of thoſe Kingdomes from whence theſe preſidents are impertinently borrowed.

6. Reason of the Houſe of Commons.

Becauſe of Biſhops dependency and expectancy of Tranſlations to places of greater profit.

I. Answer.

"This Argument ſuppoſeth all Kings, and all Biſhops to be very faulty, if they take the tune of their Votes in Parliament, from theſe dependencies and expectances.

Examen.

This Argument taxeth not Kings, but medles only

only with Biſhops. It is true, Kings bring them in, and can be wiſe enough to ſerve themſelves, if they meet with men that will put themſelves to ſale for preferment. And to ſpeake plainely, the receding from the ancient way of Electing Biſhops by the Church is no ſmall occaſion and meanes to byas them, and to engage them ſtill to goe that way, which they perceive him that hath the power of electing, and of advancing them higher, to bee inclined, ſo that, if a King ſhould deſire to draw them into a wrong courſe, they ſcarce know how to deny him, nor would many of them ſticke much at it; for they being men, and ſometimes none of the beſt, are not onely ſubject to like temptations and failings that others be, but more ready and officious to ſerve turnes than many times Princes do require.

And although the Houſe of Commons doe not alwayes *take the tune of Biſhops Votes in every Parliament from theſe dependances and expectances*; yet, when they ſee how much Biſhops, that have but meane Biſhopricks, doe continually labour to obtaine greater, and to get up higher; and then compare theſe *ambitious* practices with the tunes of their Votes in moſt things which concern the more perfect Reformation of Religion and the Clergy, and the promoting of the power of Godlineſſe, *&c.* they cannot but find to their griefe that Biſhops Votes in Parliament, and their ambitious practices elſewhere, do too often conſort and come too neere a perfect harmony; and that therefore, there is little cauſe to pronounce them faultleſſe.

But wherein lyes the pith of this Anſwer, or, how takes it off the ſtrength of the Reaſon? Muſt the

the Reason needs be false because it supposeth that, not which is impossible, but which in Civility is not fit to be spoken out in plaine language? The Answerer himselfe doth not deny the thing to be possible: therefore hee doth not *Answer* or overthrow the *Reason*, but only elude it by starting up a Captious supposition which he thinkes none will dare to owne. The Reason then is never the worse for this evasion. Let us try his next.

2. Answer to the sixth Reason.

"*This may bee said of all the Kings great Officers,*
"*of all the Noble Members of both Houses, who*
"*may bee conceived, as well as Bishops, to have*
"*their expectances, and consequently to bee de-*
"*prived by this Reason of Voting in Parlia-*
"*ment.*

Examen.

Yet this answereth not the Argument, but only endeavours to render it odious to those that were to be Iudges of it, and so to doe what may be to bring a prejudice upon it. It is not, I confesse, impossible that the Nobility should be liable to the same temptation: yet it is not probable they should so soone be borne downe before it. For, first, their Estates, generally are better, and so they have not that need to snatch at such beggars baits.

Laudabilis enim vena suam servit originem, & fideliter posteris tradit quæ in se gloriosa transmissione promeruit. Cassiodor.

Next, their bloud and Honour mounteth their minds higher and fixeth their eyes on more Noble prize, not without disdaine to stoop at flyes. Lastly, their

their large ſhare in the Publike, and the ſtrong deſire they have to lay a foundation for future glory to themſelves, and happineſſe to their poſterity, will make them ſcorne ſuch poore and baſe mercinarineſſe, unworthy of men borne to honour and ſtriving to purchaſe more by generous wayes, not by the ſale of Nobleneſſe and conſcience. *Nobiles præmium, haud prædam petunt.*

3. Answer to the ſixth Reason.

"This Argument reacheth not at the two Arch-"biſhops, and ſo falls ſhort of the Votes, which "are to be taken away by this Bill.

Examen.

If it had appeared that this particular *Reaſon* was intended againſt the Arch-Biſhops, The *Anſwer* had beene pertinent. But ſeeing the Houſe had no meaning, to reach ſo farre at every blow, but contented it ſelfe that onely ſome of the Reaſons came home to both of them alſo, that which was ſaid before in examining the laſt *Anſwer* to the fourth *Reaſon*, is abundantly ſufficient to hold up the reputation of this Argument againſt the aſperſion caſt upon it by this eluſory *Anſwer*. And yet it doth reach one of the Arch-Biſhops, by the Anſwerers good favour. An Arch Biſhop of *Yorke* would perhaps doe ſomewhat, in hope of a Tranſlation to *Canterbury*.

7. Reason of the Houſe of Commons.

THe ſeverall Biſhops have of late much encroached upon the Conſciences and properties of the Subject. And they and their ſucceſſors will bee much encouraged ſtill to encroach, and the Subject will be much diſcouraged from complaining againſt ſuch encroachments, if twentie ſixe of that Order bee to bee Iudges upon theſe complaints. The ſame Reaſon extends to their Legiſlative power, in any Bill to paſſe for the reformation of their power upon any emergent inconvenience by it.

Answer.

"*This Argument fights not againſt Biſhops Votes in*
"*Parliament, but againſt their Votes in Convo-*
"*cation, where (if any where) they have encroa-*
"*ched upon the Conſciences and properties of the*
"*Subject: Nor yet at the Vote of ſuch Biſhops*
"*there, as are not guilty of this offence. Nor need*
"*the ſubject to bee diſcouraged in complaining a-*
"*gainſt the like grievances, though 26. of that*
"*Order continue Iudges. For they ſhall not Vote*
"*as Iudges when they are legally charged. And if*
"*they ſhould Vote, what were that to the purpoſe*
"*when the lay Peeres are ſtill foure to one? The*

Biſhops

" *Biſhops (aſsiſted with a double number of Mi-*
" *tred Abbots and Priors) could not hinder the*
" *Lawes made againſt the Court of Rome, the*
" *Alien Cardinals and Prelates, the Proviſors, the*
" *Suitors to the Popes Conſiſtories under* Edw. 3.
" Rich. 2. *and* Hen. 4. *Much more may thoſe*
" *emergent exorbitances of the Eccleſiaſticall Iu-*
" *riſdiction bee ſoone curbed and redreſſed in this*
" *inequalitie of Votes betweene the Temporall and*
" *Spirituall Lords. So as this Argument doth not*
" *ſo much hurt the Votes, as it quells the courage*
" *of the Biſhops, who may juſtly feare by this and*
" *the next Argument, that the taking away of their*
" *Votes is but a kind of forerunner to the aboliſh-*
" *ing of their juriſdiction.*

EXAMEN.

I know not the Reaſon, but ſo it is, that the Anſwerer hath here thruſt together all hee had to ſay, into one *Anſwer*; although the particulars whereof it conſiſteth bee many, and of various kindes: whereas before he was pleaſed to branch out one *Anſwer* into many, when yet moſt of the branches were coincident. Not troubling my ſelfe to finde out the Myſtery, I ſhall make bold a little to change my Method alſo to follow him, or rather to diſtribute his Anſwers for him, and then to take a diſtinct view of the ſeverall limbes thereof a part.

ANSWER.

" *This Argument fights not againſt Biſhops Votes in*

"ment, but againſt their Votes in Convocation, "where (if any where) they have encroached upon "the conſciences and liberties of the Subjects.

EXAMEN.

If *this Argument fights not againſt Biſhops Votes in Parliament*, why then is it ſaid, in the end of this Anſwer, that *Biſhops may juſtly feare, by this and the next Argument that the taking away of their votes is but a kind of forerunner to the aboliſhing of their Iuriſdiction?* For, what *Votes* are here meant, but thoſe in Parliament? and what need any feare of that here, when it is confeſſed, that *this Argument fights not againſt* Votes *in Parliament?*

But, I paſſe this, becauſe contradictions in ſuch a cauſe, and in an *Anſwer* of ſo much length, dropping out of ſome mens pennes, need be no matter of any admiration, or of much ſtay upon it.

But what will it availe the Biſhops that this Argument meets not with them in the Parliament Houſe, ſo long as by his owne confeſſion (although a modeſt [*if*] would a little modifie it) it findes them out ſo palpably in *Convocation*. There, indeed, their guilt is of a double dye, for which they are now (upon examination and reſolution of both Houſes of Parliament) condemned as having voted and determined *many matters contrary to the Kings Prerogative, to the fundamentall Lawes and Statutes of the Realme, to the right of Parliaments, to the propertie and libertie of the Subjects, and matters tending to ſedition and of dangerous conſequence*; And as for *encroaching upon* and invading *the conſcience*, let that abſurd,

Ex Archi. Parl.

abſurd, amphibolous, injurious, execrable Oath enjoyned in the ſixth *Canon* of their late Holy Synode ſtand for a monument, to the eternall infamie of the Compoſers of it, and factors, in it.

Now, the Biſhops do or ought * to know that if a Iudge be once taken tardy and guiltie of corruption and wicked judgement, hee is for ever preſumed to bee corrupt, and therefore unmeet to bee truſted in another Court any more.

Nulli ſacerdoti licet Canones ignorare diſt. 38 cap. Nulli.

For, it is in Maxime both in the Civill, and Canon Lawes, which holds in all Lawes, *Semel malus ſemper præſumitur eſſe malus*. And this preſumption is not onely *præſumptio hominis*, or *præſumptio facti*, but *præſumptio juris* too, *quia jus ſic præſumit ex facto*, ſaith the Gloſſe upon that rule. So that, if *Biſhops have thus encroached upon the conſciences and properties of the Subject*, in Convocation, as tis now declared they have, they are unmeet and unworthy to bee truſted any more with Votes in Parliament, where they may doe as much again, or more, if opportunity bee offered: and therefore this Reaſon of the Houſe of Commons is invincible.

Reg. juris. 8.

But have they not done as much in Parliament alſo? What meant the Statute of 2. *H.* 4. 15. againſt the Lollards procured by *Thomas Arondel* Arch-Biſhop of *Canterbury*, and the reſt of the Prelates againſt diverſe of the Nobilitie; for, they are not at all mentioned in that Act? What meant their ſtruggling for the fixe Articles in 31. *H.* 8. 14. firſt concluded in their Holy Synod in ſpite of *CRANMERS* teeth? What meant their Conſpiracy to pull downe Religion in 1. *Mar.* after it

had happily in great part beene reformed in King *Edward* the ſixth his time? What need we any further proofe? *Habemus confitentem*, this Anſwerer himſelfe hath confeſſed as much in the cloſe of his *Anſwer* to the next *Reaſon* following, where he roundly acknowledgeth *the oppoſition of all the Biſhops to the Reformation of Religion* in 1. *Eliz.* But I muſt on to the reſt of the *Anſwer*.

Answer.

"*Nor yet at the Votes of ſuch Biſhops there, as* "*are not guilty of that offence.* That is, of paſſing ſuch Canons in Convocation.

Examen.

This Exception may ſave the Credits of thoſe men who were preſent, and proteſted legally againſt ſuch illegall and wicked proceedings; ſo as, they may have peace within, and without too, if after by poſt-fact they contracted not the guilt of Acceſſories, by adminiſtring thoſe Canons: But yet, in the account of Law, and in the eſtimate of Law-makers, before whom ſuch lewd Canons bee arraigned, the Biſhops doe know that it is another Maxime and Rule in Law, *Refertur ad univerſos quod publice fit per majorem partem*, That is juſtly imputed to all that was publikely done by the Major part. If they who diſſented not, did not proteſt, in due forme of Law, or abſented themſelves becauſe they diſliked the buſineſſe, but had

had not the courage and fidelity to oppoſe it as became their duty; they are juſtly involved within the number of the guilty, at leaſt ſo far, as to be held unworthy to be any further truſted to Vote either in that place, or in an higher much more, becauſe through negligence, incogitancy, cowardiſe, and the like, they did not their utmoſt to helpe the Lord againſt the mighty, and to oppoſe thoſe wicked Canons with all their might. I paſſe on to the next branch of the Anſwer.

ANSVVER.

"Nor need the Subject to be diſcouraged in complaining againſt the like grievances, though twentie ſixe of that Order continue Iudges. For they ſhall not Vote as Iudges in their own Cauſe, when they are legally charged.

EXAMEN.

What encouragement ſhall one, or ſome few private ſubjects hope to finde, when the whole Houſe of Commons, by the labouring of ſome Prelates (leſſe in number than twenty ſixe,) cannot get paſſage for a neceſſary Bill grounded upon ſo many ſolid and weighty *Reaſons*, againſt the Votes of Biſhops in Parliament? And who can be aſſured that hereafter *they ſhall not vote as Iudges in their owne Cauſe*, when even now *de facto*, they have already done it?

Perhaps there is a ſecret in that clauſe [*When they are legally charged*] which I cannot diſcover. But

But surely, I thinke the meaning of it to be, that the Bill came not home to a *legall charge* that might exclude them from voteing in it, becauſe the Houſe of Commons would needs be ſo civill towards the preſent Biſhops, as not to name them in the Bill; whereby, not their perſons, but their Order onely was charged. And if this were the error upon which the firſt Bill miſcarried, the Houſe of Commons are wiſe enough to make uſe of this cloſe wipe of the *Anſwerer*, and to finde out a way to avoyd the like fault in the next. The Anſwerer goes on.

ANSVVER.

"*And if they ſhould vote, what were that to the* "*purpoſe, when the Lay-Peeres are ſtill foure to* "*one?*

EXAMEN.

If the Lay-Peeres (as he termeth them) were tenne to one, yet if but a few of thoſe twentie ſixe Biſhops have a mind to be active (which, in their own cauſe, is not unlikely) they know wayes enough how to draw over to their party Noble and ingenuous natures apt to be more taken with reverence of their function and gravity, than willing to ſuſpect their ends or to diſpute their grounds, how often ſo ever themſelves or their Anceſtors have beene circumvented and miſguided by them.

But he will give you inſtances to the contrary, which may put all out of feare.

2. AN-

Answver.

" *The Biſhops (aſsiſted with a double number of*
" *Mitred Abbots and Priors) could not hinder*
" *the Lawes made againſt the Court of Rome, the*
" *Alien Cardinals, and Prelates, the Proviſors, the*
" *Suitors to the Popes Conſiſtory under* Edw. 3.
" Ric. 2. *and* Hen. 4. *much more may thoſe e-*
" *mergent exorbitancies of the Eccleſiaſticall Iu-*
" *riſdiction be ſoon curbed & redreſſed in this in-*
" *equality of votes betweene the Temporall and*
" *Spirituall Lords.*

Examen.

The Biſhops (ſo aſsiſted) could not hinder? Nay rather they could not hinder the Lawes made againſt the Pope, & Strangers. For, the more the Pope encroached, the more our Biſhops ſmarted under thoſe Vſurpations, and groaned under the many & continuall heavy taxes whereby all the Clergy of England were impoveriſhed in their Eſtates, and the *Biſhops* much curbed in their Iuriſdictions. He ſhould ſhew himſelfe an egregious Ignaro to the Stories of thoſe times, that ſhould require Inſtances hereof, there being ſo many, much elder than *Edward* the third: *Matthew Paris* and ſundry other Hiſtorians abound herein. Therefore I will content my ſelfe with only one inſtance in the reigne of *Hen.* 3.

Inhis time the exactions & pollings of the Clergy and Kingdome were found to be yearly 60000 Markes, *Antiq Britan. ex Mat. Paris in Bonifac.*

Markes, which, at that time, exceeded the Kings owne Revenues. No benefice, or dignity belonging to the Nobility, Clergy, or Gentry, not many pertaining to the King himselfe could bee void, but the Popes *Provisors* were ready to seize on it instantly for some of his Creatures, Italians and other forraigners. The Bishops fretted, but durst not complaine. When the King saw their timorousnes, and the whole Kingdome heightned up to such a degree of discontent, that they threatned to cast off their obedience to the King, if he tooke not order to ease them; a Parliament was called; the King, the Nobility, Prelates, Commons, all complained of the unsupportablenesse of the burden; drew up their greivances into seaven severall Articles; foure letters were conceived and sent with these greivances to the Pope; one from the Bishops, a second from the Abbots, a third from the Nobility and Commons, and the fourth from the King himselfe; but, to little purpose. The Pope still went on, although sometimes more favourably, and other times more violently, as the times would suffer.

The letters & Articles are set downe at large in *Math. Paris.* in *Hen.* 3. pag 927. *Credit. Lond. Anno.* 1571.

No marvell then, if Bishops and Abbots in Parliament were so willing to be over-borne by the votes of the temporall Lords in passing the Statute of Provisors of benefices, in 25 *Edw.3. and against suitors to the Popes Consistory, and receiving of Citations from Rome in* 38. Ed.3 *And against the farming of any Benefices enjoyed by Aliens* by the Popes Collation, *or conveing of mony to them.* 3. Ric. 2,3. And against *Going out of the Realme to procure a Benefice in this Realme* in 12, Ric.2.15. And for confirmation of the Statute *de provisoribus* among the Statutes called

called *Other Statutes made at Westminster. in* 13. *Ric.* 2. ca. 2. The like may be said of the Statute of *Provision* in 2. *Hen.* 4. 4 *of first fruites to Rome more than usuall.* 6 *H.* 4. 1 *Of moneys carryed to Rome*, and confirmation of all Statutes *against Provisors &c.* 9. Hen. 4 8. To say nothing of that famous Statute in 26. Hen. 8. 21 which gave the Pope a deeper wound than all the Acts that had been before.

Now, alas poore Bishops that they were so over-voted that they could not hinder such Lawes as those, made in their favour, and for the rescuing of them from the Italian horse-leeches! No doubt the Bishops laboured stoutly to withstand these Acts: and therefore no marvaile that they be so carefully instanced in, or pointed unto by the Answerer, to shew how easily Bishops maybee over-voted in Parliament and how soon emergent exorbitancies of their Iurisdiction may be there curbed & redressed. Or rather indeed to shew how unable Bishops bee to withstand the passing of a bill which they desire with all their hearts may bee enacted, or which they know the King wil have to be enacted. But otherwise, I cannot understand his reason in vouching of them: unlesse he meant to make his Readers some mirth. See now how hee winds up this long Answere.

ANSVVER.

"So as this Argument doth not so much hurt the "votes, as it quells the courage of the Bishops, who "may justly fe re, by this and the next Argument "that the taking away of their Votes is but a kind

"*of fore-runner to the abolishing of their Iurisdiction.*"

EXAMEN.

Indeed, if we take the scantling of the *hurt* done to their *Votes*, by the instances produced in this *Answer*, the hurt is so little, that the adventure will not bee great, if they meet with other Bills in Parliament of like nature, wherin the Temporall Lords shall happen to over-vote them. In those Statutes before mentioned, I doe not finde the Clergy so much as named. It is probable, they durst not appeare for those Acts, for feare of the Pope; but rather suffered them to passe, by the Temporall votes, that they might the better excuse it at Rome, and enjoy the benefit with more security at home, when the Temporalty alone were so ready to doe it to their hands.

Iust so it was in *Henry* the thirds time, when the Pope had compelled the Bishops to ratifie all the Grants of payments to Rome made by *K. Iohn*, whereby the Bishops were so cast betweene the mil-stones, as to be ready to be ground to powder, yet durst not appeare against their oppressor, they (Good men) were forced by the King and Parliament much against their wills (*Si placet*) to be rescued out of his hands without any labour of their owne; when, first the King professed *se contra infirmos illos et timidos Episcopos pro Regni libertate statu-*
Antiq. Britan: in Bonif. *rum, nec censum deinceps ullum Romanæ curiæ præstiturum*. And afterward, when the whole Parliament ordered the Bishops and Abbots to write to his

his Holineſſe that which with all their hearts they would, if they durſt, have done of themſelves, for obtaining eaſe of the burthens that lay upon them, as hath been touched before.

So that now, this Argument doth little *quell their courage*, if they meet with no greater diſcouragements than by the anſwerer hath been ſet forth. Rather the *Anſwere* teacheth them the way how to prevaile by being overcome, and to bring about their owne ends and yet ſit ſtill, or ſeeme to be the greateſt oppoſers of that which in ſecret they moſt deſire, and underhand doe moſt labour for.

But truly, it is to me no leſſe than a riddle, that there ſhould be any juſt cauſe of feare (unleſſe unto them who are apt to *feare wher no feare is*) that there is any thing in this Argument tending to the *Aboliſhing of Epiſcopal Iuriſdiction*; when the Reaſon expreſly ſuppoſeth no more, but a *Bill to paſſe for the Regulation of their power upon any emergent inconvenience by it*. Verily there is more cauſe of feare on the other ſide, that if the mention of a bill for *regulating* the power of Biſhops ſhall be interpreted a plot to ruine their iuriſdiction, which now is ſo exorbitant, their Caſe comes very neere to that of old Rome, which (as *Livy* obſerves) could noe longer ſtand under the vices committed in it, nor endure the remedies applied to it. *Liv. Hiſt. Dec. 1.*

8. REASON of the Houſe of Commons.

Becauſe the whole number of them is intereſſed to maintaine the juriſdiction of Biſhops; which hath beene found ſo

greivous to the three Kingdomes, that Scotland hath utterly abolished it, & multitudes in England and Ireland have petitioned against it.

Answver.

"*This Argument is not against the Votes of Bish-*
"*ops, but against Episcopacy it selfe, which must*
"*bee removed, because Scotland hath done so, and*
"*some in England and Ireland would have it so;*
"*And yet peradventure ten times as great a*
"*somme as these desire the contrary.*

Against this a 2 fold *Answer* is offered.

Examen.

This *Argument* is expresly *against their votes for maintaining their Iurisdiction*, (to which by their Order they are all bound, as all other societies bee, to maintaine their Priviledges;) and it is not bent *against Episcopacy it selfe*. And yet this suggestion is a witty invention, both to winde out of the strength of this *Reason*, and to cast a blurre upon it at the farewell.

The House of Commons could not but see even an impossibility of reforming by bill the excesses and intolerable exorbitancies of the present tyranny of many *Bishops* (who dishonestly cal it by the honest name of *Iurisdiction*,) so long as the *Bishops* be suffered to vote in Parliament. For the *Bishops* bee themselves the greatest Offenders therin, either acting in it, or else (as *Galba*) wittingly permitting those to usurpe whom they ought to bridle,

bridle, or wilfingly ignorant of what they ought to know. Therefore it was defired that their Votes in Parliament might be taken away, to make paſſage for another *Bill* that might *regulate their Iuriſdiction*, as in the former *Reaſon* was plainely intimated. *But the Anſwerer* was willing to ſlide over that which was the life of the preſent *Reaſon*, (*viz.* the engagement of *Biſhops* to *maintaine their iuriſdiction*, *id eſt*, as now it ſtandeth) and *Lap-wing* like to carry his Readers from the neſt, to gaize upon the deſtruction of Epiſcopacy it ſelfe, which on my conſcience was not then intended by the Houſe of Commons, had that firſt *Bill* been quietly yeelded by the *Biſhops* in the Houſe of Peeres.

Nor did the Houſe of Commons, I preſume, by the inſtance of Scotland, and of thoſe in England and Ireland intend, in this *Reaſon*, a purpoſe of Abolition of the Calling, but onely made uſe of it as an Argument *a majore ad minus*: to this effect: That, if *the Iuriſdiction of Biſhops* (as now they terme it) be found ſo grievous, that, in Scotland they would endure Epiſcopacy it ſelfe no longer; and, many in England, and Ireland have petitioned for the aboliſhing of it in theſe other Kingdomes; it cannot be thought unreaſonable and immodeſt for the Houſe of Commons to paſſe a *Bill* for a leſſer matter, to wit, for taking away the *Votes* of *Biſhops* in Parliament; without which there is little or no hope that the *Biſhops* will ever ſuffer an other *Bill* to bee enacted for the thorough Reformation and regulating of their Iuriſdiction, ſo as to give eaſe of the many Greivances that ſtill ly upon the ſubjects of both Kingdomes of England, and Ireland, and to ſatiſfie

tisfie the Petitioners with Reason worthy of such a Parliament, at such a time of generall discontent, cheifly caused by the usurpations of sundry Bishops and of their domineering party.

What is in the *Answer* (with shew of modesty) said, that *peradventure ten times as many desire* the continuance of Episcopacy, as there be Petitioners against it, It might peradventure be so, before the *Bishops* procured that first bill grounded upon these Reasons, to be rejected above; and before the world was made acquainted with that *Abstract of the Answers* given to them. But I dare say, that now, without all *peradventure*, (if we may judge of mens desires by their expressions) there is, scarce one of ten, who before were for *Episcopacy* reformed, but are now against it: the reason is, because they see there is no hope, that ever the *Bishops* will cheerfully yeeld to a perfect Reformation of themselves and their Order, and that if hereafter the Prelates should happen (against their will) to bee over ruled in it, such a forced Reformation will never doe good, nor secure the Kingdome against the Evills too long sustained under them, if the Calling it selfe be continued.

And verily, no one thing hath more alienated & exasperated the hearts of all sorts, than the apprehended insufficiencies of these printed *Answers* to the *Reasons* of the House of Commons. So that, if *Episcopacy* happen to miscarry, I am perswaded, the *Bishops* will find Cause to ascribe the opening of so speedy a way to their destruction, not to any thing so much as to the unhappy *Answers* given to these *Reasons* of the House of Commons; if those

Answeres

Anſwers offered to the Houſe of Lords were no other, or better than they are preſented to publike view in that more unhappy Abſtract moſt unhappily printed.

2. ANSVVER to the eighth REASON.

"*There will be found Peeres enough in the Vpper Houſe*
"*to reforme any thing amiſſe in the Eccleſiaſticall*
"*Iuriſdiction, although the 26. Prelates ſhould bee*
"*ſo wicked as to oppoſe it: As there were found*
"*Peeres enough in that Noble Houſe to curb the Court*
"*of* Rome, *and the Revennues of the Cardinals un-*
"*der* Edw. 3. *To meet with the Proviſors under*
"Rich. 2. *To put all the Clergie into a* Premu-
"nire *under* Hen. 8. *And to reforme the Religion*
"1 Eliz. *notwithſtanding the oppoſition of all the*
"*Biſhops.*

EXAMEN.

Mark here his *Plea in Barre* againſt the Bill, There were Peeres enough *to curb the Court of Rome*, in *Edw.*3. and *Rich.* 2. when none were more glad of the curbing of that Court, than our Biſhops themſelves. *Ergo* there will ever be found Peeres enough to reforme the Biſhops juriſdiction. I will not ſay of this putting our *Eccleſiaſticall Iuriſdiction* and the *Court of Rome* ſo neere together, *Pares cum paribus facillime congregantur*. But it will perhaps make ſport to ſome to finde them in this *Abſtract* ſo cloſe one by another: yet can it not ſecure wiſe men, that becauſe the Peeres curbed the Pope, *Ergo* there will ever be enough to curb out Biſhops; unleſſe the Bi-

ſhops will yeeld themſelves to hold of the Pope, or to be of the ſame ſtamp, and reſolve to riſe and fall with him.

As for thoſe Cole-worts in *Edw.* 3. and *Rich.* 2. now a ſecond time heated, I referre the Reader who deſires a freſh taſte of them, to the *Examination* of the former *Anſwer*. In the caſe of *Premunire*, in *Hen.* 8. who knowes not that (if any ſuch had paſſed in Parliament) the Clergie were not ſo much overborn by the Nobility, as overawed by that ſtern and ſtout King, with whom the proudeſt Prelate durſt not to conteſt? But when wil it be proved that this paſſed in Parliament? Surely *Holinſhed* & others tell me that the Biſhops were called into the Kings Bench about it, but before their day of appearance, there was a *Convocation*, wherein it was concluded that the Clergie of the Province of *Canterbury* ſhould offer 100000. pound for compoſition, wch was accepted, and a pardon promiſed to paſſe in Parliament to free them of the *Premunire*. So in 7. *Hen.* 8. the Convocation incurred a *Premunire* for citing one *Standiſh* to appeare before the Convocation, when they had not juriſdiction: which yet was compounded and no Act of Parliament paſſed on it: Nor needed there an Act for it, for the Biſhops themſelves confeſſed the thing and ſo it could not come to a conteſt in the Parliament. This is all that I know of this matter. And if the caſe be thus this inſtance is not to the purpoſe. But the laſt is of all other the moſt impertinent, and ſcandalous.

Impertinent, becauſe all the world knowes that the Reformation of Religion was the deſigne

of

of the Queene whom the Prelates might not croſſe; ſuch as did thwart were duely rewarded for their paines, as hath beene formerly touched. Therefore untill it can bee found that the Biſhops were over Voted in a Cauſe wherein the PRINCE went with them, or expected their aſſiſtance, to Vote for him, the force of the Reaſon is not abated.

Next, what a ſcandall to Biſhops is it, that even ſince the Reformation begun in *Edward* the ſixth his time, the Biſhops, all the Biſhops ſhould oppoſe the reſtauration thereof in the beginning of Queene *ELIZABETH*, after an interruption of ſcarce five yeares and an halfe! Surely, if Biſhops can ſo farre degenerate in ſo ſhort a time, they are hardly to bee truſted with Voting in Parliament for any long continuance, eſpecially in an age of ſuch a poſtatiſing of the moſt, and warping of the beſt.

IX. REASON of the Houſe of Commons.

BEcauſe Biſhops being Lords of Parliament, it ſetteth too great a diſtance betweene them and the reſt of their Brethren in the Miniſtery, which occaſioneth pride in them, diſcontent in others, and diſquiet in the Church.

ANSVVER.

"*This is an Argument from Morall Philoſophy,*
"*which affords no Demonſtrations. All are*

" not proud that Vote in Parliament, nor dif-
" contented which are not ſo imployed. This
" Argument fights onely againſt their Title
" of being LORDS, which is not the Que-
" ſtion at this time. And were theſe Bre-
" thren ſo wiſe and well affected as they might
" be, they would rejoyce rather that ſome of their
" owne profeſſion are advanced to thoſe places
" wherein they may bee capable, upon all occaſi-
" ons, of doing good offices to them, and to this
" whole Church.

EXAMEN.

The firſt note is but a peece of mirth, which is but little *Demonſtration* of any great *Morality*, in a Cauſe ſo ſerious. *If all bee not proud that vote in Parliament*, they have the more cauſe to be thankfull to God that keepes them humble in ſo great a temptation. Yet, uſually, all be not humble who ſay they are not proud. Proud men of all others will be leaſt knowne of Pride. The *Reaſon* doth not ſay, that all are proud who Vote, but only that ſuch high dignity (not meet for them) occaſioneth pride, and I hope it will not bee denyed by a Biſhop to be a rule of *Divinity* as well as of *Morall Philoſophy*, that apparent and experienced occaſions of ſinne muſt bee avoyded as well as the ſinne it ſelfe.

Beſides, this *Anſwerer* takes no notice of the maine baſis of the Argument, which is, that *this ſetteth too great a diſtance betweene the Biſhops and the reſt of their Brethren.* And to ſay truth, there

was

was no great Reason why hee should, considering the Principles of Prelates, which will never suffer them to subscribe to the truth of such a Proposition. They never thinke the *distance to be too great*, betweene themselves, and the inferiour Clergie. And the neerer to parity, the neerer to Heresie. Yet, because this is an opinion not very fit to bee spoken out, it was godly policy to passe over this branch in silence: and, it were superfluous, to labour in the asserting of that which the *Answer* doth not gain-say.

And though, *all bee not discontented that are not so imployed*: for some of them are Chaplaines, Dependants, Expectors, Pretenders to the like places, and so cannot but rejoyce to see them on Cock-Horse, who will, they hope, one day give them the hand to lift them up behind them. Yet there bee many moe who have more cause of just *discontent* at the infinite elation, intolerable pride, and boundlesse passions of some of the Bishops, who looking up to their owne Lordly Titles, doe take it for a part of their honour to looke downe upon their poore brethren with so much superciliousnesse, as if they were not brethren but servants, yea slaves, *ad servitutem natos*, as Hee said of his subjugated fellow Senators of Rome. Tiberius

Before this Lording in Parliament came up, the old Rule among Bishops was, *Episcopus in quolibet loco sedens, stare Presbyterum non patiatur*. But that Canon is now 1240. yeares old, and so may well be forgotten. Now, it is well if he may after long attendance bee admitted into the presence of a Bishop, where he must stand bare headed, while the Con. Carthag. 3. ca. 34

Biſhop ſits, or perhaps lyes along in State. And whereas before, they were not aſhamed to call and honour them as *Brethren*, now they have other names for them, *Dunce*, *Aſſe*, *Foole*, *Iack*, *Rogue*, *Scotiſh ſpirited raſcall*, any thing that a tongue ſet on fire of Hell can belch out.

Lo here the goodly fruit of Epiſcopacie advanced to the heigth of Peerage in Parliament! and wel were it for many of them and their poore Clergie, if this were the worſt and greateſt cauſe of griefe and diſcontent adminiſtred by the Biſhops to many grave, Godly, painefull, peaceable Miniſters, whoſe heavie burdens are preſented in multitudes of Petitions to the preſent Parliament, and therefore I forbeare to relate them.

But where it is ſaid that *this Argument* of the Houſe of Commons *fights only againſt their Title of Lords*: the *Anſwer* miſreports it: For it marcheth(not fighteth) againſt them as *Lords of Parliament*: now, if to be a Lord in Parliament, and to Vote as Peeres there be not the ſame thing, the Anſwer is worthy of Conſideration: otherwiſe, it can expect no entertainment, but neglect. The Houſe of Commons did purpoſely uſe this phraſe here, becauſe the very *Reaſon* it ſelfe is grounded, partly upon the Title, yet ſo, as that they conſider a Biſhop as a Peere admitted to Vote in Parliament. Theſe two are convertible and equipollent expreſſions; He is a Lord of Parliament, *Ergo*, he Votes. He Votes in Parliament, *Ergo*, a Lord of Parliament. And this Lordſhip in Parliament is that which lifts him up ſo high above his brethren, as makes him to be, and they to fare the worſe all dayes of his life.

Where-

Wherefore, to conclude all; ſuch is my folly that I know not what *wiſdome, or good affection* it were, for *thoſe Brethren to rejoyce* much, to ſee any *of their owne Profeſſion* to bee expoſed to ſo great temptations, by being advanced to that place, which is ſo farre from rendring them *capable* or apt to *doe good offices* to either Church or State, as that it makes them more unapt unto, and uncapable of doing any good at all, either in Parliament, Pulpit, or Conſiſtory. For it puts them out of their Calling, unapts them for the proper worke of it, and is, not ſeldome, ſecretly followed, by the juſt judgment of GOD, with a ſpirit of coldneſſe and benumdneſſe of thoſe excellent parts wherewith many of them before abounded, with a ſpirit of giddineſſe in point of judgment, with a ſpirit of contempt of thoſe Ordinances which formerly they prized, in point of affection, with a ſpirit of pride over their brethren in point of behaviour, with a ſpirit of perſecution of the power of godlineſſe in point of juriſdiction, and with a ſpirit of oppoſition to the perfect *Reformation* of this *whole Church*, in point of Legiſlative power in Parliament.

See the cloſe of laſt precedent *Anſwer.*

ERGO,

Biſhops ought not to Vote in Parliament.

FINIS.

Pag. 2. *l.* 28. after *acceptat*, there ſhould be a ſhort line, thus;------ as implying ſome words omitted which in the Author be interpoſed *p.* 4. *l.* 7 *r. indicare*, *p.* 26. *l.* 5. *r. avocation*, *p.* 34. *l. ult. r.* 18. *ibid.* in Mar. dele 1317. & *r. M.* 18. *p.* 63, *l.* 14. *r.* could, *p.* 75. *l.* 25. *r. nati.*